



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

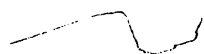
- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

7

SLT
BARROWS



PRISON SYSTEMS OF THE UNITED STATES.

REPORTS PREPARED

FOR

THE INTERNATIONAL PRISON COMMISSION.

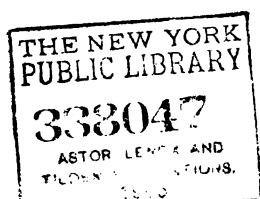
S. J. BARROWS,

COMMISSIONER FOR THE UNITED STATES.

APRIL 3, 1900.—Referred to the Committee on the Judiciary
and ordered to be printed.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.

1900.



LETTER OF TRANSMITTAL.

DEPARTMENT OF STATE,
Washington, April 2, 1900.

SIR: I have the honor to transmit herewith a communication from Mr. S. J. Barrows, Commissioner of the United States on the International Prison Commission, submitting a report on the prison system of the United States and of seventeen of the States, prepared with the cooperation of associate commissioners in various States.

I have the honor to be, sir, your obedient servant,

JOHN HAY.

Hon. DAVID B. HENDERSON,
Speaker of the House of Representatives.

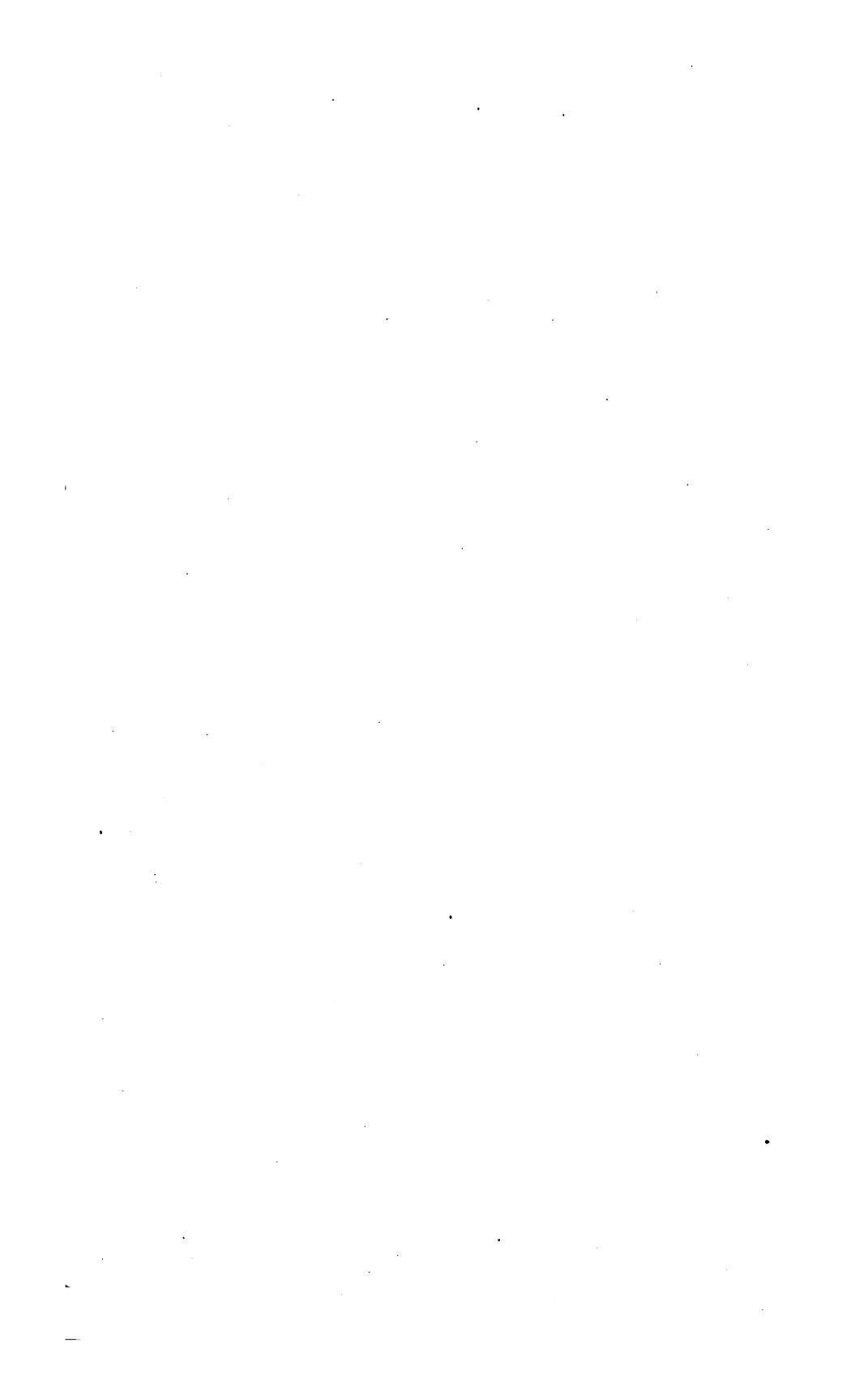


TABLE OF CONTENTS.

	Page.
Introduction. By S. J. Barrows, International Prison Commissioner.....	7
United States Penitentiaries. By Frank Strong, Department of Justice.....	11
Prison Systems of—	
California. By B. F. Smith	15
Colorado. By C. L. Stonaker.....	38
Connecticut. By Thomas Dudley Wells.....	43
Kansas. By H. S. Landis	50
Maine. By C. A. Plummer.....	53
Maryland. By Goldsborough S. Griffith	56
Massachusetts. By F. G. Pettigrove	67
Michigan. By O. M. Barnes	73
Montana. By Frank Conley	93
Nebraska. By A. E. Harvey	96
New Hampshire.....	138
North Carolina. By C. B. Denson	101
Oregon. By Joseph D. Lee.....	110
Pennsylvania. By Isaac J. Wistar	112
Rhode Island. By Nelson Viall	119
Utah. By George N. Dow.....	126
West Virginia. By S. A. Hawk	128
Wyoming. By N. D. McDonald	131
Care for Discharged Prisoners in the United States. By Phillip W. Ayres....	139

PRISON SYSTEMS OF THE UNITED STATES.

INTRODUCTION.

There are forty-five States and three Territories in the United States, not counting the new acquisitions which have resulted from the war with Spain. Under our form of government, offenses against State laws, which constitute the vast majority of offenses, are tried by State courts and are punishable under the penal systems of the State in which the offense is committed. It is thus possible to distinguish, geographically, forty-eight different prison systems. A forty-ninth must be included for the Federal Government itself, which conducts a few institutions—jails and penitentiaries—while sending the great majority of Federal prisoners to institutions in the States in which the crimes were committed.

Of the forty-five States, few have what may be called a uniform system under State control. County jails and houses of correction are generally subject to local control. The result is a great lack of uniformity in the regimen and administration of institutions in the same State. While it is not possible to have in the United States a uniform centralized system under Federal control, it is possible to have a uniform system in each State whenever the legislatures of the States perceive the desirability of so doing.

In order to give any adequate idea of penal methods in the United States it is necessary to present monographs or reports on the system of each State. Accordingly, at the suggestion of the commissioner for the United States on the International Prison Commission, the governors of the various States were asked to name associate commissioners who might furnish such reports or monographs. In most of the States such designations were made. Not all the persons thus named were able to prepare the papers desired; but that some twenty of them were able to do so is a source of great gratification to the commissioner, and he takes this opportunity of returning thanks to those who have rendered the assistance desired. Generous as this assistance has been, a number of States are without representation in the report, owing to the failure of some of the commissioners to furnish the information desired.

7

It has been impossible to secure information uniform in all its details. The best that can be done is to give a general idea of the system pursued in each State, making prominent any special or distinctive feature in law, structure, or administration.

STATISTICS.

No attempt has been made to include prison statistics, for the reason that outside of the census bureau no machinery exists for securing, tabulating, and digesting the statistics of crime in the United States. Such statistics ought to be compiled annually and Congress, it is hoped, will some time make provision to this end. The statistics of some of the States are well tabulated and comparisons are possible in the same State for a period of years; but comparisons can not be easily made between different States on account of the different form in which the records of crime are tabulated and also on account of the variation in laws and penalties in the different States. So great is this variation that all deductions as to the distribution of criminals in the United States, or as to the comparative increase or decrease of crime in different States, are dangerous if not in most cases utterly fallacious. So far as classification of crimes is concerned, it is not even safe to place too much reliance upon comparisons of statistics between different periods of the same State for the reason that changes in the number of arrests or convictions in different years may sometimes be traced to changes in legislation, which show a new attitude toward certain offenses, but do not show whether the offenses themselves have really increased or decreased.

Sometimes arrests and commitments are stimulated by a system of fees for policemen or magistrates. Thus in the city of Baltimore the abolition of the magistrates' fee system, secured through the efforts of the Maryland Prisoners' Aid Association, has resulted in twenty-four years in a decrease of over 4,000 commitments annually to the city jail, notwithstanding the great increase in population of the city.

Similarly the able and valuable report of the advisory committee on the penal aspects of drunkenness, appointed by the mayor of Boston (City Document 158, 1899), shows that "comparative statistics of arrests, taken by themselves, furnish no reliable measure of the amount of drunkenness in different localities at the same time or in the same locality at different times."

ORGANIZATION AND CONTROL.

The State of Wisconsin has a board of control consisting entirely of paid officials. In most of the other States which have State boards of charities and correction or prison commissioners, as they are variously called, the members are unpaid. In some States these boards have

control not only of penal institutions, but of all State institutions relating to the insane, the indigent, and the defective classes. The powers of these boards vary greatly in the different States, being limited in some cases to a power of inspection and recommendation, with no power of regulation or administration. County jails and houses of correction are generally under the control of sheriffs, commissioners, or other officers. Under such a division of responsibility and power it is impossible to have any uniformity in construction or administration. The unfortunate condition of county jails has been the subject of much criticism in the United States. The awakening of public opinion in some States has led to desirable reforms, but the jails in most States still remain the weakest part of the physical and moral side of the punitive system.

PRISON SYSTEMS.

There are four different systems of dealing with sentenced prisoners in the United States: The separate system, the congregate (frequently known as the Auburn) system, the reformatory system, and the convict-lease system.

The separate system in the United States is represented by a single institution—the Eastern Penitentiary, of Philadelphia. An exposition and defense of the principle on which this prison is conducted is given in the article on the Pennsylvania institutions by Mr. Isaac J. Wistar. The late Michael J. Cassidy, for many years warden of that prison, was an ardent advocate of the separate system. For some years the number of commitments to that penitentiary has been much in excess of its capacity, resulting in a doubling of the inmates in many of the cells, which is in direct violation of the principle of separate confinement and individual treatment. The warden and managers have been powerless to resist this overcrowding. They have endeavored to put together those prisoners who are recidivists, or who would, in their judgment, be least affected deleteriously by living and sleeping together in the same cell. Contrary to popular notions and to misconceptions in regard to this prison, the health rate is excellent. From an economic standpoint it is one of the most successful of American prisons.

The congregate system is illustrated by Auburn prison, New York, by which name it is known widely in Europe, and by a great many prisons in different States. The general features of this system are association in productive labor by day and separate cells by night. While this is the prevailing method in the United States, some of these prisons have been greatly modified in their spirit and régime by the growth of the reformatory spirit and the successful conduct of institutions in which education plays a large rôle.

The reformatory system in the United States finds illustration in the

institutions at Elmira, N. Y.; Concord, Mass.; Pontiac, Ill.; Huntingdon, Pa.; in reformatories in Colorado, Minnesota, and Wisconsin, and in reformatory prisons for women in Indiana, Massachusetts, and New York. Others are projected in different States. A description of the reformatory system of the United States and a discussion of the indeterminate sentence and other features which are inseparably connected with it are given in a special report on this subject prepared for the International Prison Congress and printed as a document by the House of Representatives. (House Doc. No. 459, 56th Congress, first session.)

For this reason no description of the reformatory system appears in this report. Monographs on the systems of Ohio, Indiana, and Minnesota are printed likewise in the report referred to, since the reformatory spirit has modified the methods of those States to an important degree.

The convict-lease system finds illustration in most of the Southern States. It will be found described in the report on the State of North Carolina.

PRISON LABOR.

For a consideration of the whole subject of prison labor—the different systems in use, the contract system, the piece-price plan, the State-account method, and the question as to the relation of prison labor to that of free labor—the reader is referred to the report on California, by Brainard F. Smith; on Michigan, by O. M. Barnes; on Massachusetts, by F. G. Pettigrove, and on North Carolina, by C. B. Denson.

DISCHARGED PRISONERS.

In lieu of a detailed report from each State, Dr. Phillip Ayres, of New York, has collected the desired information concerning the care of discharged prisoners in the various States and has embodied it in an interesting and valuable paper.

S. J. BARROWS.

UNITED STATES PENITENTIARIES.

By FRANK STONG.
General Agent, Department of Justice.

At present the penitentiaries under the direct control of the Department of Justice are the United States penitentiaries located at McNeils Island, Washington, and at Fort Leavenworth, Kans. The first-mentioned institution is a small one, and was the Territorial prison when Washington was a Territory and which remained in the possession of the General Government. The institution at Fort Leavenworth, Kans., originally a military prison under the control of the War Department and used for the confinement of persons convicted by courts-martial, became a civilian prison and placed under the control of the Attorney-General in 1894. Its capacity is about 800.

The act of Congress of June 10, 1896, provided for the erection of a United States penitentiary on the military reservation at Fort Leavenworth, Kans., and on its completion and occupancy the military penitentiary transferred to the Department of Justice in 1894 should be restored to the control of the War Department. Work on the buildings authorized by the above act has been in operation for some time, and is based on plans which embrace the most recent and modern improvements in institutions of like character. It is hoped that it may be ready for occupancy within the next three years. Its capacity will be 1,200 prisoners.

At the last session of Congress provision was made for another United States penitentiary, which is to be located at Atlanta, Ga. The law under which both these penitentiaries will be managed provides that the control and management shall be vested in the Attorney-General, who shall have the power to appoint the officials and employees necessary for their proper management; that he shall designate to which of said prisons persons convicted in the different States shall be carried for confinement; that he is empowered to establish rules for commutation for good behavior of convicts, but not for a longer term than two months for each year's imprisonment, and that in the construction of the prison buildings under this law there shall be such arrangement of cells and yard space as that prisoners under 20 years

of age shall not be in any way associated with prisoners above that age, and that the management of the class under 20 years shall be, as far as possible, reformatory. On release from these prisons, prisoners are to be provided with clothing, cash amounting to \$5, and transportation to their homes within the United States.

UNITED STATES JAILS.

In addition to the above institutions, there are jails belonging to the Government, which are located one each at Washington, D. C., Fort Smith, Ark., and Guthrie, Okla., and temporary places for holding prisoners located in the Indian Territory. These temporary places in the Indian Territory will give way to permanent jails within a short time, provision for the purpose having already been made by Congress. These jails of the United States are used for the confinement of persons awaiting trial or sentenced for short periods, those sentenced for terms exceeding one year being sent to a penitentiary for imprisonment.

DISPOSITION OF UNITED STATES PRISONERS IN DIFFERENT STATES.

The policy of the Department of Justice with regard to the disposition of persons convicted of violation of United States laws is, and has been for many years, to confine them as far as possible in institutions in States in which the crimes were committed, and where there are no available institutions, selection is made of the most available one in an adjacent State. This being so, United States prisoners are sent to many State penitentiaries to serve their sentences, and during the fiscal year 1898 United States prisoners, of whom there were 5,067, were confined in seventy institutions located in thirty-six States and Territories.

GENERAL LAWS GOVERNING UNITED STATES PRISONERS.

The laws regarding United States prisoners who have been sent to the different State institutions are as follows:

SEC. 5539. Whenever any criminal convicted of any offense against the United States is imprisoned in the jail or penitentiary of any State or Territory, such criminal shall in all respects be subject to the same discipline and treatment as convicts sentenced by the courts of the State or Territory in which such jail or penitentiary is situated; and while so confined therein shall be exclusively under the control of the officers having charge of the same, under the laws of such State or Territory.

SEC. 5543. All prisoners who have been, or may be, convicted of any offense against the laws of the United States, and confined in any State jail or penitentiary in execution of the judgment upon such conviction, who so conduct themselves that no charge for misconduct is sustained against them, shall have a deduction of one month in each year made from the term of their sentence, and shall be entitled to their discharge so much the sooner, upon the certificate of the warden or keeper of such jail or penitentiary, with the approval of the Attorney-General.

SEC. 5544. The preceding section, however, shall apply to such prisoners only as are confined in jails or penitentiaries where no credits for good behavior are allowed;

but in other cases all prisoners now or hereafter confined in the jails or penitentiaries of any State for offenses against the United States shall be entitled to the same rule of credits for good behavior applicable to other prisoners in the same jail or penitentiary.

SEC. 5546. (All persons who have been, or who may hereafter be, convicted of crime by any court of the United States, whose punishment is imprisonment, in a District or Territory where, at the time of conviction, there may be no penitentiary or jail suitable for the confinement of convicts, or available therefor, shall be confined during the term for which they have been or may be sentenced in some suitable jail or penitentiary in a convenient State or Territory, to be designated by the Attorney-General, and shall be transported and delivered to the warden or keeper of such jail or penitentiary by the marshal of the district or Territory where the conviction has occurred; and if the conviction be had in the District of Columbia, in such case the transportation and delivery shall be by the warden of the jail of that District; the reasonable actual expense of transportation, necessary subsistence and hire, and transportation of guards and the marshal, or the warden of the jail in the District of Columbia only, to be paid by the Attorney-General out of the judiciary fund. But if, in the opinion of the Attorney-General, the expense of transportation from any State, Territory, or the District of Columbia in which there is no penitentiary will exceed the cost of maintaining them in jail in the State, Territory, or the District of Columbia during the period of their sentence, then it shall be lawful so to confine them therein for the period designated in their respective sentences.)

(All persons who have been, or who may hereafter be, convicted of crime by any court of the United States whose punishment is imprisonment in a district or Territory where, at the time of the conviction or at any time during the term of imprisonment, there may be no penitentiary or jail suitable for the confinement of convicts or available therefor, shall be confined during the term for which they have been or may be sentenced, or during the residue of said term in some suitable jail or penitentiary in a convenient State or Territory, to be designated by the Attorney-General, and shall be transported and delivered to the warden or keeper of such jail or penitentiary by the marshal of the District or Territory where the conviction has occurred; and if the conviction be had in the District of Columbia, the transportation and delivery shall be by the warden of the jail of that District; the reasonable actual expense of transportation, necessary subsistence, and hire and transportation of guards and the marshal, or the warden of the jail in the District of Columbia only, to be paid by the Attorney-General out of the judiciary fund. But if, in the opinion of the Attorney-General, the expense of transportation from any State, Territory, or the District of Columbia in which there is no penitentiary will exceed the cost of maintaining them in jail in the State, Territory, or the District of Columbia during the period of their sentence, then it shall be lawful so to confine them therein for the period designated in their respective sentences. And the place of imprisonment may be changed in any case when, in the opinion of the Attorney-General, it is necessary for the preservation of the health of the prisoner, or when, in his opinion, the place of confinement is not sufficient to secure the custody of the prisoner, or because of cruel or improper treatment: *Provided, however,* That no change shall be made in the case of any prisoner on the ground of the unhealthiness of the prisoner, or because of his treatment, after his conviction and during his term of imprisonment, unless such change shall be applied for by such prisoner, or someone in his behalf.)

UNITED STATES LAWS GOVERNING LABOR OF UNITED STATES PRISONERS.

The act of February 23, 1887, provides as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall not be lawful for any officer, agent, or servant of

the Government of the United States to contract with any person or corporation, or permit any warden, agent, or official of any State prison, penitentiary, jail, or house of correction where criminals of the United States may be incarcerated to hire or contract out the labor of said criminals, or any part of them, who may hereafter be confined in any prison, jail, or other place of incarceration for violation of any laws of the Government of the United States of America.

SEC. 2. That any person who shall offend against the provisions of this act shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be imprisoned for a term not less than one year, nor more than three years, at the discretion of the court, or shall be fined not less than five hundred dollars, nor more than one thousand dollars for each offense.

SEC. 3. That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed; and this act shall take effect and be in force from and after its passage.

THE STATE PRISONS OF CALIFORNIA.

By BRAINARD F. SMITH,

Associate Commissioner for the International Prison Commission, State of California.

Penitentiary System.—The system used in the State of California is the congregate. The only solitary confinement of prisoners is isolation by cellular separation for the purpose of punishment for infractions of prison rules, quarantining infectious diseases, temporary confinement of wild insanity cases, until removal to State hospitals for the care of the insane, or prisoners condemned to death by hanging. There are two penitentiaries in California, one at San Quentin and the other at Folsom. The prisoners are not classified according to any category. The judges of the sentencing courts commit to either prison as they may prefer. After commitments are made and the convicts delivered into the custody of the superintending wardens, the State board of prison directors have the power to transfer felons from one prison to the other, at their discretion.

General administration.—By the constitution of the State of California the general administration of the State prisons or penitentiaries is placed in a State board of prison directors, consisting of five members, appointed by the governor of the State, with the advice and consent of the State senate. Each director is appointed for a term of ten years. Appointments are made so that the term of office of one director expires at the end of each two years. The governor has the power to remove directors for misconduct, incompetency, or neglect of duty after an opportunity to be heard upon written charges. The State constitution provides that the board shall have charge and superintendence of the State prisons. The legislature may pass such laws as may be necessary to define and regulate the powers and duties of the board to carry into effect the provisions of the constitution. The only appointing power granted the board is to appoint a warden and a clerk for each of the two State prisons, who serve terms of four years, unless removed by the board of directors for misconduct, incompetency, or neglect of duty. The directors determine the other necessary offices and positions, fixing the salaries of the same and defining the duties pertaining thereto, but not possessing

the appointing power to fill the offices they create. They prescribe rules and regulations, not otherwise prescribed by law, of the penitentiaries; they audit all claims for supplies, services, and expenses of officers and employees and all other demands against the prisons; they contract for provisions, clothing, medicines, forage, fuel, and all other staple articles of supplies needed for the support of the prisons for any term of time not exceeding one year. They have full power to erect any building or structure deemed necessary by them, or alter or improve them, provided the cost shall not exceed \$5,000; when above this sum they must first obtain the majority consent of the governor, secretary, and treasurer of State. They have general supervision of the two penitentiaries and must visit each prison at least once in every month, and oftener if necessary. They report to the governor from time to time the names of such felons who, in their judgment, ought to be pardoned or set at liberty by reason of good conduct or unusual term of sentence, or on account of any other cause which, in their opinion, should entitle a prisoner to pardon or executive clemency.

The governor of the State may pardon, commute, and restore to citizenship at his pleasure any prisoner who is serving his first term in a penal institution. He can not pardon or commute a sentence in any case where a convict has been twice convicted of a felony, unless upon the written recommendation of a majority of the judges of the supreme court. The State board of prison directors receive no compensation except reasonable traveling and other expenses incurred while engaged in the performance of official duties. The wardens have direct personal charge of their respective prisons as agents and representatives of the board. Their duties are prescribed by statute and by rules and regulations of the board. The wardens alone possess the power to fill all subordinate positions by the appointment of suitable persons thereto, the directors claiming the right to pass upon the suitability of such appointees. Wardens can discharge all such officers and employees at their pleasure. Each warden gives \$25,000 bonds for the faithful performance of his official duties. Each resides at the State prison to which he is assigned, in quarters provided and furnished by the State; prosecutes all suits at law or in equity that may be necessary to protect the rights of the State in matters connected with the prisons and their management; supervises the government, discipline, and police of the prisons; personally conducts all executions of the death penalty; receives all the revenues of the prison, and is alone authorized to receipt for the same and discharge from liability. He performs such other duties as may be prescribed by the board.

The clerks keep the accounts of the prisons to which they are severally appointed so as to clearly exhibit all financial, commercial, and other business transactions; they act as secretaries to the board, take

the minutes of all meetings, and are the legal custodians of all papers, documents, books, accounts, etc., belonging to the prisons. They certify to all the proceedings of the board and perform such other duties as the board may designate, to whom they are alone responsible. This is a synopsis of the general administration of the prisons in California. The central authority is the board of directors; all other authority is subordinate and secondary, save where definitely defined by statute, and does not interfere with the essential supreme responsibility of the board in the general administration. It was the idea of the framers of the State constitution to remove the administration of the penal institutions of California as far as possible from the malignant influences of political interference. By fixing the term of office of each of the five directors at ten years, a governor, during his term of four years, would only have the appointment of two directors, so that he could not dictate the policy of management, or fill the board with political creatures to bow to his wishes by creating positions to be filled by political favorites, or to elect wardens and clerks from partisans of the party to which the governor might belong.

A mistake was made in the constitution in not fixing the terms of warden and clerks as well as the directors at ten years. However, there has been a remarkable observance of the spirit of the constitution by the many governors up to this time, considering the great pressure brought to bear upon the executive by those of influence and power for official positions in the prisons regardless of the best interests of prison management and administration. It requires moral courage of high character to resist such inducements as are used upon the chief executive. It speaks well for their manhood and moral stamina that they have so uniformly withstood the temptation to interfere with and influence appointments in the prisons. Up to this date the prisons have not been given up as spoils of office. While the political complexion of the board of prison directors has changed and fluctuated many times within the twelve years' personal knowledge of the writer, never has an appointment made by either of the two wardens been unconfirmed for political reasons. The question has never been asked nor the proposition discussed by the directors as to the partisanship of a subordinate appointee. Merit and fitness for the position alone governed confirmations. The fact that there are two penitentiaries has been an advantage to the State in keeping the management out of politics. It has become the unlettered law that the wardens shall be of opposite political parties. This has aroused a spirit of generous rivalry between the two institutions, each one striving to excel the other in excellence of management, economy of administration, and in every other praiseworthy manner endeavoring to make the two prisons model penitentiaries.

Generally speaking, penitentiaries can be successfully and well administered by a board of five directors, appointed by the executive for high character and business ability. Their term of office should be long, for time brings experience. Let the constitution hedge the directors around by such impregnable safeguards that neither partisan legislatures nor unwise executives can interfere or coerce or hamper them; prescribe their duties definitely, and when derelict therein remove them by legal process after a fair and unbiased examination by an unpartisan judiciary instead of by farcical charges before an interested executive who constitutes himself jury, judge, and executioner, predetermined to find a verdict of guilty and removal from office. Let superintendents or wardens or heads of the penitentiaries, whatever they may be termed, be selected for fitness and merit from those experienced in penology and having knowledge of the characteristics of criminals and the principles of criminology. Appoint them to long terms of office, so that they can act independently, without catering to or currying favors from political bosses. Define explicitly the physical, mental, and moral requirements of subordinate officers, so that under keepers, guards, and policemen shall not be inefficient office seekers or ward heelers with some political influence, nor old and frail objects of charity, incapacitated for active, arduous work. The penitentiaries should not be eleemosynary institutions nor almshouses nor political cribs and feeding troughs.

While the system maintained in California is not perfect, and we are not entirely free from the pernicious influence of party machinations, yet our condition is not deplorable nor so much in need of improvement as the management of the State prisons in many of the States of the Union, where managers are changed with every fluctuation in politics or with the advent of each new executive. A prison official should be trained for his calling, and when he demonstrates his fitness for the peculiar task which he has chosen he should be assured of steady employment. That more ability and more versatility are required in prison officers than are generally needful in those engaged in ordinary business life is a well-established fact. By removing it from political influence prison management is raised to its proper place. The nonpartisan management of the California prisons has received the widest and heartiest commendation. Dr. Wines, the eminent penologist, says:

Such, then, is the actual fundamental law of California in relation to this great question. It is difficult to see how, in a government like ours, prison management could be more effectually removed—on paper—from the domain of party politics. It remains only that the execution be carried out in the spirit of the theory.

Our prisons are now placed on the highest plane of modern thought in this respect, and we do not think any governor will ever take a step back. The interests intrusted to the prison directory are too important

to be made the spoils of office seekers. To obtain the best results of any system of prison administration remove it as far and high above political intrigues and jobbery as possible. Let penitentiaries be sour grapes to political foxes, then the management becomes satisfactory to penologists.

Discipline.—The special object of discipline is to intimidate, not reform a prisoner, except incidentally. Discipline must be maintained or prison management is a failure and anarchy and revolt result. Constant discipline may train habits until they become fixed characteristics in young and unformed natures; but discipline never yet reformed a mature criminal or hardened offender. He may hereafter, upon his release, not violate the law, but it will be because he fears the rigor of the law and has a wholesome respect for discipline, but not because any mental change has reorganized and revolutionized his nature and converted him into a creature of honest instincts and inclinations by reason of coercion by discipline. We do not wish to be understood as saying that it is impossible to reform one convicted of crime. Far from it. There is a class, consisting of young men and boys, who have been led astray and have committed an offense against the law. They, perhaps, are more the victims of circumstances than they are of vicious intentions. They have not yet reached the age of discretion; they are thoughtless, impulsive, easily influenced, and amenable to good or bad leadership. Discipline, restraint, imprisonment, and proper moral influences may be the means of reforming them and making honorable, upright, and law-abiding members of society out of them. In such cases there is an effort to develop hope, and strenuous pains taken to preserve them from contamination by association with hardened criminals. Discipline and careful supervision are needed to cure such incipient tendencies to chronic wrongdoing. Very rarely will it accomplish any permanent good to hold out the inducements of hope to a recidivist under the present conditions of society.

It is a mooted question which is to be preferred as a means of discipline, rewards or punishments, in prisons operated upon the congregate system. A judicious combination is best. Try rewards first. If they fail use punishments in discretion. There are other ways to punish than by inflicting physical pain. In our prisons we try to discipline by judging the individual characteristics of each case and administering punishment accordingly. "The way to a man's heart is through his stomach" is an old axiom. The stomach is used by us as a means both of reward and punishment. While all food supplied convicts is wholesome and healthful, some is more appetizing and satisfying. We grade the tables in our dining rooms. Tobacco is issued or withheld; the privilege of writing and receiving letters is granted or withdrawn; lights in the cells at night are allowed or prohibited,

and various other indulgences and immunities sanctioned or interdicted as rewards and punishments.

The legislature by statute has wisely provided as a reward to deserving prisoners certain deductions from the term of sentence imposed by the courts. I quote from the statute:

Every convict who shall have no infractions of the rules and regulations of the prison or laws of the State recorded against him shall be allowed from his term a deduction of two months in each of the first two years, four months in each of the next two years, and five months in each of the remaining years of said term, and pro rata for any part of a year, where the sentence is for more or less than a year. Each convict shall be held entitled to these deductions, unless the board of directors shall find that, for misconduct or other cause, he should not receive them. But if any convict shall commit any assault upon his keeper, or any foreman, officer, convict, or person, or otherwise endanger life, or shall be guilty of any flagrant disregard of the rules of the prison, or commit any misdemeanor, or in any manner violate any of the rules and regulations of the prison, he shall forfeit all deductions of time earned by him for good conduct before the commission of said offense, or that, under this section, he may earn in the future, or shall forfeit such part of such deductions as to the board of directors may seem just; such forfeiture, however, shall be made by the board of directors after due proof of the offense and notice to the offender; nor shall any forfeiture be imposed when a party has violated any rule or rules without violence or evil intent, of which the directors shall be the sole judges. The board shall have power to restore credits forfeited, for such reasons as to them may seem proper.

One of our punishments consists in the loss of these credits. Prisoners are also punished by confinement, separation from all other convicts in solitary cells, and in aggravated cases—when solitary confinement does not act as a deterrent—prisoners are triced up by the wrists or hands under, however, the personal inspection of the prison physician. A record of all punishments is kept on file. We are of the opinion that no especial preference can be given to either rewards or punishments as a means of discipline. Blend the two into one harmonious system so flexible as to adjust itself to the special peculiarities of each case and you meet the requirements of discipline. Punishment hardens some and makes them more vicious, unruly, and unreasonable, while kindness, on the other hand, softens, subdues, and overcomes the evil in them. Others there are upon whom favors, rewards, and concessions have no beneficial effect, and they are only touched and moved by fear of physical punishment. Many a prisoner has been ruined beyond reclamation by punishment, while many a prisoner has been reformed—or, if not reformed, made a better prisoner—by punishment.

Moral and religious influence.—Religious services are held each Sabbath in the prison chapels by either a priest of the Roman Catholic Church or a Protestant minister, the two alternating their services during the month. Attendance is not made obligatory. At San Quentin a chaplain is constantly on duty, employed by the State. Vol-

untary visitors are admitted and welcomed, who may try to improve the morals of the prisoners. At San Quentin voluntary visitors of this class are more frequent than at Folsom, the reason being that the former is easily accessible while Folsom is remote from the center of population. The results of trying to improve the morals of the vast majority of those incarcerated in our prisons are far from encouraging or satisfactory. Some of our worst criminals and most hardened offenders are the most assiduous in attending religious services and loud in their proclamations of reformation. The expert and cunning felon finds great sport in theatrically posing as a brand plucked from the fire, and delights in deluding guileless and pure-minded ministers of the gospel and tender-hearted, credulous women into the belief that he has repented of the error of his ways through their ministrations and religious instructions. Great good, however, has been done in signal cases, and the general effect is beneficial. Those who really seek to reform find great help in resisting the evil influences of their environments and courage to continue in well-doing, in spite of the gibes and taunts of the wicked, by the encouraging and strengthening sympathy and prayers of religious instructors.

In every penitentiary in the country there should be a big-hearted, true Christian, one with liberal and broad ideas, who should give his entire time and devote his best energies to the saving of the souls of criminals. There are various Christian denominations which spend thousands annually sending missionaries to convert ignorant and savage heathen in foreign lands, when right here at their very doors are benighted souls to Christianize and reform, who receive comparatively little attention from them. There is a great field for practical Christian missionary work in the State prisons. Mrs. Ballington Booth is doing divine work in this direction. Her heart and soul are interested in reclaiming felons, and wherever she visits beneficial results follow. But she is a noble exception to the general rule and her work is only a drop in the bucket of what should be done by Christian missionary societies. There should be concerted, constant, and never-ending Christian efforts and influences in every penitentiary in our land to reform the hardened and depraved. Sunday services and occasional visits do not meet the requirements. It is the unceasing and daily moral and religious influence that brings success in Christianizing and reclaiming criminals. So far as they go the efforts of the management and of voluntary visitors to improve the morals of our prison population accomplish good results. But they do not go far enough. The management do all within their power, but they are restricted by want of money and the necessity of attending to other important affairs from giving this phase of penology the care and attention it deserves.

Instruction.—On July 1, 1899, there were 2,179 prisoners in the

California State prisons. Of that number 208 had received a college education; 1,555 had attended public and other schools to various degrees of advancement; the greater number only to a limited extent; 405 could not read or write; 11 could read and could not write at the time of their incarceration. These statistics are derived from questioning the prisoners upon arrival and are not perfectly reliable. Still, they are approximately correct. The provisions made for instruction during imprisonment are limited and meager. In all cases where a convict desires or shows a willingness to improve himself mentally encouragement is offered to him by the prison management in supplying schoolbooks to a reasonable extent. There are no regular classes, however, nor any allotted hours for study, nor regular teachers paid by the State. The more intelligent convicts act as teachers and assist the illiterate to advance in education. There is, to a considerable extent, a marked desire on the part of prisoners for mental improvement, and the result shown, with the limited opportunities that have heretofore existed, are satisfactory. There should be regular classes, taught by competent teachers, at the expense of the State. Statistics prove that comparatively few of our penal population come from the educated class of society. The illiterate and uneducated are in the vast majority. Education certainly tends to elevate morally and mentally and socially. The law-breaking element throughout the country is essentially unschooled; the well-educated division practically law-abiding. A large library, with ample facilities for teaching convicts, is a great desideratum in prison management and a great power in improving the minds and morals of prisoners. Interest the prisoner's mind in good reading and occupy his attention in mental education and you divert his thoughts from evil. As physical work and exercise keep the body healthy, so mental activity benefits the intellectual powers directly and the moral senses incidentally and responsively.

Work.—The work of prisoners in California is not farmed out to contractors. The statute provides that—

The State board of prison directors shall require of every able-bodied convict confined in State prison as many hours of faithful labor in each and every day during his term of imprisonment as shall be prescribed by the rules and regulations of the prison. All convicts may be employed by authority of the board of directors, under charge of the wardens, respectively, and such skilled foremen as he may deem necessary, in performance of work for the State, or in the manufacture of any article or articles for the State, or the manufacture of which is sanctioned by law. At San Quentin no articles shall be manufactured for sale except jute fabrics.

There is a special statute relating to Folsom prison providing for the working of prisoners in a rock-crushing plant for making crushed rock for macadam and other uses. Outside of these industries the prisoners are employed in the various vocations that relate to the myriad needs of the prisons. Blacksmiths, carpenters, farmers, clerks,

cooks, machinists, waiters, domestic servants, etc., find ample employment.

The question of the employment of prisoners has always been full of perplexity. That prisoners must labor is evident to every thinking person. It is necessary for their physical and moral well being. The experience in every enlightened nation in the world positively establishes this fundamental principle. That the labor shall be productive is claimed to be a vital condition of success in reforming convicts by conspicuous prison administrators and the greatest prison reformers. That the vocation in which each prisoner is employed shall be of such a nature as to fit him to be self-supporting upon his discharge is equally important. The majority of those who commit crime have no trade. They are common laborers, shovel-and-pick men; have never been taught habits of industry, and have fallen into crime either because they could not obtain employment or were unwilling to work. In times of financial depression the common laborer suffers loss of employment first. The prisons fill faster than before from their ranks. The man with a trade—the skilled artisan—is found in such small numbers in the penitentiaries as to attract the attention of even the careless thinker. Reformation in men of this character, who are not criminals by instinct, but by pressure of want, can be effected largely by teaching them habits of industry and supplying them in some measure with mechanical skill. When a prisoner is liberated, he should have some practical knowledge and ability to earn a livelihood. It is cheaper for the State and better for society to have trained him in such a way than it is to allow him to relapse into crime by reason of this inability and thereby cause the State to incur all the expenses of another criminal conviction.

These propositions are recognized by our prison management. But how to apply them practically and successfully is a different affair. On the one hand, the taxpayers are eager that the cost of maintaining penal institutions should be kept as low as possible. To them a prison is a costly necessity and, without considering other questions from a penological standpoint, they hasten to the conclusion that perfection in prison management is reached when the prison is made self-supporting. On the other hand, laborers and trade unions look solely to the effect that competition of prison labor with free labor has upon the labor market and their own special avocation in particular. The taxpayer argues that had a prisoner not been committed to prison and was living an honest life, he would, outside of prison walls, be engaged in some branch of labor that would compete with some other industry; that every man that labors keeps somebody else out of work when the supply exceeds the demand; that when the demand exceeds the supply alone is there no competition in the working world; that by working for the State inside prison walls a prisoner does not augment the num-

ber of laborers any more than he would working as a free man. As an abstract principle the claim of the taxpayer is correct.

The trade unions strenuously protest against training convict labor, not so much against the output of such labor while in prison, although they seriously object to this course also, as they do to the fact that the employment of convicts at various trades has the effect of discharging annually hundreds from the prisons who are skilled operators, and they thereby come in competition with free laborers who have not had the opportunity of being educated in their various trades at the expense of the State. A lawbreaker, a criminal, is housed, clothed, fed, cared for in every manner, and taught a trade, while the honest, law-abiding man must provide for himself and pay his own way by the sweat of his brow while learning the same trade without aid from the State. Free labor claims, and justly too, that our Government is framed upon the dignity of labor; that it is part of our national creed that the laborer should be protected in all his rights, and that the State should advance, so far as consistent with good government, the condition of the laboring classes; that when a system of prison labor is manifestly destructive of free industry no argument is needed to show that a wrong is being done. To the mind of the honest toiler this appears a rank injustice and places a premium on crime. He does not look upon a convict as a sick man morally to be cured by society and at the expense of society, nor comprehend that one of the medicines to prescribe for his cure is teaching him a trade, thus strengthening his abilities and powers so that he can support himself upon his discharge from a penal hospital. That the State does not do this willingly, but from its supreme sense of duty, and because experience has taught that society at large is improved and protected thereby, or that the good of the majority outweighs the benefit to the few, is not appreciated by the ordinary mortal.

Were it a mere question as between man and man, a bad man versus a good man, there would be no hesitancy or difficulty in siding with the honest, free laborer against the prisoner convicted of crime. But prison management confronts a practical problem. The prisoners must be employed and the work should be remunerative, to some extent. What shall this work be? The labor organizations are antagonistic to a system that, from a penological standpoint, requires the reformation and proper control of felons. These organizations command respect, and it is the policy of our lawmakers to grant their demands to such a degree as to cause our prison management much anxiety and deep perplexity. How to arrive at a satisfactory method of properly treating the moral patients under their charge without injuriously affecting the well-being of home workers is a problem difficult to solve.

While working in the jute mill in San Quentin educates prisoners

in the handling of machinery, it does not teach them a trade of future utility, as there is only one other mill of the kind in the State, and its employees are chiefly children, women, and Chinamen. At Folsom the labor at the rock-crusher plant consists mainly in quarrying, breaking, and wheeling rock to the crusher proper—entirely manual labor, requiring no skill or training. From a penological view, neither of these methods of employment is satisfactory, but the management can only obey, and not go beyond the letter of the law.

Before the present statute went into effect the State worked the able-bodied prisoners at Folsom in the granite quarries, located within the prison grounds, until they became skilled quarrymen and expert stonecutters. The occupation was an ideal one for utilizing convict labor under the congregate system here. It was healthy and strengthening, teaching them a trade which enabled them to earn high wages when released from incarceration. With our State ribbed with quarries of granite, marble, and sandstone from one end to the other, it seemed as if the demand for such workmen could never exceed the supply. Then, again, the quarries were not located in the crowded centers of population, where temptations flourish and vice dogs the footsteps of the newly-discharged prisoner to lead him astray, but out in the foothills, away from the pitfalls into which ex convicts are lured, where they could save their earnings and gain an honest competence, free from the enticing dangers of city life. The writer very much regrets that organized labor induced our legislature to virtually close our quarries and put an end to this prison industry, so peculiarly adapted to carrying out the broad-minded policy of the directors in their earnest endeavors to reclaim their erring wards. All our work is directed by the administration in every respect and without intervening contractors, lessees, or middlemen.

What system do we prefer and what are the reasons of such preference? It is understood that the labor which the prisoner is to perform is labor in some branch of industry by which a revenue or a benefit to the State is produced.

There is one system known as the "lease" system. By this system the lessee has sole control of the prison and the prisoners. He agrees to pay so much money for the management of the prison and the labor of the convicts, and his profit is derived from the earnings of the prisoners and any reduction he can make in their maintenance. The lessee is compelled, as a matter of business, to so use the convicts that their labor will not only pay for their support, but also the price he has paid to the State for his lease, and whatever profit he expects to derive from his contract. The lessee's only object is to make money. It is to his interest to have as much labor performed as possible, and reduce the cost of feeding and clothing the prisoners to the smallest minimum sum. Manifestly, this system is profitable to the State,

probably the one producing the greatest amount of revenue. The State is at no expense, but, on the contrary, for a number of years a certain profit is assured to it. The prison is certainly self-sustaining under this system. But at what a cost. The prisoners are in most instances treated as animals, worse than animals, rather than as human beings. It is impossible, under such a system of prison labor, to effect any other result than to brutalize, not reform. All the benefits of discipline are destroyed. The prison is simply a money-making machine. In this only is it successful.

The next system of prison labor is that called the "contract" system. It was at one time in vogue in California, and now prevails elsewhere in a majority of the State prisons. Under this system the management of the prison is retained by the State, but the labor of the convicts is let out to contractors at a stipulated price per day for each convict employed. During the day the prisoners are under the control wholly, or to a partial extent, of the contractor or his agents. The clothing and food are supplied by the State. From a penological point of view, this system, while greatly preferable to the lease system, is objectionable, because it places the prisoners in the hands of those who have only the object in view of getting all the work possible out of the prisoners. Contraband articles are smuggled in and given convicts to encourage them in working harder for the contractor's benefit. This system has met with violent opposition because—aside from other objections apparent to the mind of a trained penologist—by fixing the price of labor at a small pittance per day it decreases the standard of wages among free labor. The distinctive feature of this system is that a day's labor is paid for, and not the result of that labor. The result of one prisoner's labor per day may be 25 cents and that of another may be worth \$5. We do not approve of this system.

A third system is the "State account" system. It has many excellent features. In California the question has been discussed, and I can do no better than quote from a statement made to the senate committee on State institutions in December, 1898, by the late Charles Aull, warden of Folsom prison at that time:

It has been suggested that the convicts at Folsom might be employed in manufacturing articles for the use of the various State institutions. In theory this sounds well, but in practical operation it will be found that the demand is so small that as a means of giving employment to any considerable number of convicts it will prove a failure as well as abortive in lessening expenses.

There are only 8,000 inmates in State institutions, of which 2,000 are confined in State prisons. The only articles that could be manufactured are shoes, blankets, clothing, hats, brooms, willow ware, and tinware.

I have obtained statistics of all public institutions in this State as to the amounts required yearly of these various articles, and have made careful estimates of the labor required to supply them.

The two prisons manufacture their own shoes; this would leave about 1,200 dozens to be manufactured for other institutions. Unless we tanned our own leather so as

to be independent of buying leather in the open market, we could not turn out shoes for a less price than is now being paid for them.

The large factories employing improved machinery almost eliminate the factor of labor from the cost of boots and shoes. To produce these articles cheaply they must be manufactured in large quantities, the plant run regularly, and every item of expense carefully guarded. Otherwise the free convict labor of the prisons would not successfully compete against the improved machinery on the outside. And, again, forty convicts, with the aid of a sewing machine or two, could manufacture all the shoes required by all State institutions.

About 1,500 pairs of blankets are purchased annually at an average cost of \$3.25 each. The same criticism as to the cost of shoe manufacture would apply to a small woolen mill. To produce blankets cheaply the mill must be run on a large scale, and every advantage taken of the market to purchase raw material. The output must be regular, and, in fact, strict business principles must be adhered to in every department of the plant. It might be said that the woolen mill could also produce cloth for clothing; but this, too, is extremely doubtful. No woolen mill in California has paid expenses for some years past. We are now buying prison cassimere at 62½ cents, which, five years ago, we paid \$1.20 for, and other cloth in proportion. This could not be turned out at the prison for that price under any circumstances. The same may be said of other grades of cloth, such as would be used in ordinary suits. A plant of that kind would be in the same condition as the San Quentin jute mill—running at a constant loss on account of the limited output of the mill and the unskilled labor employed.

A saving to the asylums and other institutions could be made by buying the cloth in the open market and making it up into suits either at the asylum or at the prisons. No expensive plant is required for this, and a few men could make all the suits necessary for the inmates of our charitable and penal institutions.

What is true of the woolen mill is true of hats, caps, etc. The amount to be manufactured would not justify the purchase of the machinery; that is, as an element of profit to the prisons. I do not believe they could be produced as cheaply as they are now purchased in the market.

Of willow ware, but little is used; and of tinware the largest element of cost is the raw material and not the labor employed in putting it together.

All these institutions are now supplied with furniture, and the demand for that for some years to come will be small.

This leads to a consideration of a fourth system, where the prisoners engaged are entirely under the supervision of the prison officials and the prisoners receive wages for the labor they perform upon the "piece-price plan." Under this plan the institution is run as a manufactory would be run by a private individual. The State owns the machinery, buys the raw material, and it places the articles manufactured upon the market for sale as would any business firm. It should be the aim of all prison managements, while attempting to secure profitable results, to employ prison labor in such branches as will interfere to the smallest extent with free labor. The mechanic who is a law-abiding citizen ought not to feel that his capacity for earning a livelihood is lessened by prison labor. The prisoners should and can be employed in manufacturing goods not made elsewhere to any extent in the State in which the prison is located. Whatever the commodities manufactured they should be those in general use and demand, that would be otherwise imported from abroad if not made by prison

labor, and in which the principal cost is in the labor involved, or commodities which are controlled by monopolies to the detriment of the public at large by reason of high prices. Free labor should not be antagonized, but benefited, by cheapened commodities.

Before the State started the manufacture of jute fabrics the farmers of California were forced to pay exorbitant prices for grain bags for sacking wheat. All bags were imported from India. Since then the price of jute fabrics has been reduced over half and the farming community has reaped the benefit of this prison industry, while only the rich importers and the jute-bag "ring" have suffered loss thereby. Other industries could be carried on that would not only benefit the laboring classes, but also be of great assistance to prison discipline and reformation, if our lawmakers would make the necessary appropriation of money and grant the right to the prison management to inaugurate them.

The true policy of prison management is not to devote all its energies solely to make the prisons self-supporting. This result should not be expected nor attempted. The better system would be for the State to make appropriations sufficient to cover all expenses, without any allowance for earnings, and require whatever profit that may be made to be paid into the State treasury as belonging to the State. The question of cost is not the principal one involved in prison management. Unfortunately, the idea that it is the prime object of prison management to make the institution under its charge self-supporting, or as near it as possible, has so often been proclaimed and so widely believed that it is difficult to convince many taxpayers and lawmakers that a State has higher aims than coining money from the sweat of lawbreakers. The idea to be conveyed is that pecuniary profit should not be deemed the most important object of consideration. A prison is a place where a criminal should be punished, in order that he may suffer the consequences of his guilt and wrongdoing, and that others with similar inclinations may be restrained from fear of the punishment to follow. It should be all this and should be more. It should be a place where a prisoner may be rescued from the course of evil and given all the training that will enable him to live the life of an honest man should he so desire. Many who commit crime do so through depraved instincts and hereditary traits that no training can eradicate. Reformation in these it may be foolish to expect.

Few are aware, however, of the large number that enter our prisons who are not really depraved or criminals at heart, but weak and destitute of any clear conception of right and wrong, who do not realize the full consequences of a crime. Such as these can be saved and reformed and made useful citizens. Any system of prison labor or prison discipline that fully accomplishes this is in the true sense of the word successful. Teach the convict a useful trade, dignify labor

to him, Christianize him, if possible, but be sure to give him tools to work out his salvation upon his discharge.

This leads me to the question, Should the prisoner receive any wages for the labor he performs while in the penitentiary? To secure the best results it is necessary to reward in some mode those who excel. This is in part attained in California by the "credit" system, before referred to, allowing a deduction of time for good behavior. Still, this is something that the ordinary prisoner does not fully appreciate. It is something given him by law, and he regards it as a part of his sentence. To give him a little better food, an extra allowance of tobacco, or a small pittance in the way of money is to reward him in a way that costs the State but a trifle, yet greatly encourages him.

The vast majority of prisoners enter the prison without a cent of money and leave the prison at the expiration of the term of sentence with only \$5 and a bad record to begin life anew. They are like strangers in a strange land. Should they return to their former homes they are branded as felons and shunned by those that once knew them. They have no money with which to support themselves or seek other localities for employment. They are thus poorly equipped to engage in an honest struggle for bread or to find a footing place where they can support themselves. A little capital and the knowledge of a useful trade at their command at this critical point in their career will prove of inestimable benefit to them and untold value to the State. To give them the results of their labor is not to give it as an object of charity. They feel that they have earned the money by hard and constant work. They have learned steady application and the dignity of labor and the value of money. It does not affect the principle of this system that many may squander their little capital immediately upon inhaling the first breath of freedom. This is to be expected. It is the general good, moral effect upon the habits and character of the prisoner and the favorable influence it exerts in prison discipline that is the essence of the system. Let a prisoner feel that he earns his few cents a day by faithful, steady labor and obedience to all the rules and regulations of a prison and that he is accumulating a little fund to sustain him upon his discharge. Let him understand that should he misbehave or slacken in the performance of his work he will be fined and forfeit some of his little hard-earned earnings, then he will strain every effort to live up to the requirements of prison management.

This fourth system is the one the writer prefers when applied to first offenders and, perhaps, second-termers also. Confirmed offenders should not receive any such financial assistance to incite them to plunder society. The products of labor are not enough in either of the State prisons in California to meet the expenses of conducting the prisons. The profits in jute fabrics and crushed rock, sold by the prison management, are limited by law. These industries are carried

on to commercially benefit the consumers thereof and not the producers, the products being sold for only a slight advance above cost of manufacture. While the two prisons earn money for the State, nevertheless the prisons are not run as a money-making proposition. San Quentin prison received an appropriation of \$160,700 and Folsom prison \$110,700 from the legislature for their respective maintenance for the present year. The earnings of San Quentin will approximate \$70,000 and Folsom \$10,000 per annum. Taking one year with another the earnings just about equal the deficits.

Administrative personnel of prisons.—The wardens and clerks are chosen by the board of directors and serve a statutory term of four years. All other officials are chosen by the wardens, the State constitution giving them alone this power. Appointees retain their positions at the pleasure of the wardens. Some of these subordinate officers have been connected with the prisons for from ten to twenty years. Political influence has something to do with the appointment in many instances, but little with the retention of attachés afterwards. The board of directors prescribe certain physical, mental, and moral qualifications requisite for appointees, and the wardens appoint subject to these restrictions. Whenever a subordinate officer proves incompetent he is summarily discharged. The qualifications required are that employees shall possess the physical and mental and moral ability to perform the duties of the offices to which they are appointed efficiently and to the satisfaction of the wardens. There are no special schools to prepare prison employees prior to their employment for their duties. They are taught after appointment in such matters as they need instruction. We do not regard such schools as essential to the good administration of our prisons. If considered essential the prison directors, possessing discretionary power, could require probationary and preliminary training. This prior preparation would be a benefit but is not an essential in good administration.

Sanitary condition of prisons.—Dietary: The food is cooked by steam under supervision of convict cooks and served by convicts. The prisoners have one large dining room, where they congregate to eat their meals. As a sample of the food served the prisoners, I beg to append a menu of the food furnished for one week at Folsom prison during the month of October, 1899, which is a fair statement of the dietary of the two prisons:

MONDAY.—*Breakfast:* Rolled-oats, mush, and sirup; boiled pork and beans; fresh bread; coffee with sugar. *Dinner:* White bean soup; roast beef, brown gravy; steamed potatoes; fresh bread; coffee with sugar. *Supper:* Boiled rice with sirup; pork and beans; fresh bread, and tea with sugar.

TUESDAY.—*Breakfast:* Corn-meal mush and sirup; pork and beans; fresh bread, and coffee with sugar. *Dinner:* Beef stew and vegetables; pork and beans; fresh bread, and coffee with sugar. *Supper:* Bread pudding, sweet sauce; pork and beans; fresh bread, and tea with sugar.

WEDNESDAY.—*Breakfast:* Beefsteak and onion gravy; steamed potatoes; pork and beans; bread and butter; coffee, with sugar. *Dinner:* Vermicelli soup; roast beef, brown gravy; steamed potatoes; fresh bread; pork and beans; coffee, with sugar. *Supper:* Boiled rice and sirup; pork and beans; fresh bread and tea, with sugar.

THURSDAY.—*Breakfast:* Cracked-wheat mush and sirup; pork and beans; fresh bread and coffee, with sugar. *Dinner:* Beef stew, Irish style; boiled pork and beans; fresh bread and coffee, with sugar. *Supper:* Apple roll and sweet sauce; boiled pork and beans; fresh bread and tea, with sugar.

FRIDAY.—*Breakfast:* Rolled-oats mush, with sirup; boiled pork and beans; fresh bread; coffee, with sugar. *Dinner:* Bean soup; roast beef, brown gravy; steamed potatoes; pork and beans; fresh bread; tea, with sugar. *Supper:* Corned-beef hash; pork and beans; fresh bread; tea, with sugar.

SATURDAY.—*Breakfast:* Cracked-wheat mush and sirup; boiled pork and beans; fresh bread; coffee, with sugar. *Dinner:* Beef stew, Irish style; pork and beans; fresh bread, coffee, with sugar. *Supper:* Stewed apples; boiled pork and beans; fresh bread; tea, with sugar.

SUNDAY.—*Breakfast:* Beefsteak, Spanish; steamed potatoes; pork and beans; fresh bread and butter; coffee, with sugar. *Dinner:* Roast beef, Spanish gravy; steamed potatoes; pork and beans; fresh hot rolls; grapes; coffee, with sugar.

During 1898, at Folsom prison, with an average population of 907.7, it cost \$2.50 per month, or 8½ cents per day, to feed each prisoner three meals. At San Quentin, with an average population of 1,314, it cost \$3.59 per month, or 11⅞ cents per day, to feed each prisoner three meals.

The ventilation of cells is excellent. Cells are only occupied after working hours. Each cell contains an electric light at Folsom, and gas at San Quentin. The oxygen in the air is not exhausted by an electric light, as by other means of lighting cells. Wickets in the doors, with ventilators in the cell walls, furnish all the fresh air requisite. Owing to the salubrity of our California climate, there being no excessive extremes of cold or heat during the hours of confinement, a free circulation of fresh natural air is always warranted. Neatness and cleanliness are hobbies with California prison management. Careful and painstaking attention is paid in this respect. In neatness and cleanliness the prisons are excelled nowhere. But little sickness exists, and the prison hospitals are more frequently empty than occupied. The death rate is very low, the mortality of the two prisons being as follows for the last decade:

Year.	San Quentin.		Folsom.	
	Average population.	Mortality.	Average population.	Mortality.
1890	1,381+	81	623+	3
1891	1,313+	23	678+	14
1892	1,224+	18	695+	9
1893	1,216+	17	709+	9
1894	1,305+	34	689+	5
1895	1,278+	23	791+	8
1896	1,279+	25	890+	6
1897	1,329+	23	900+	1
1898	1,335	31	907+	14
1899	1,314+	29	890+	10

This report does not include deaths caused by violence.

Moral reform of criminals.—Under the congregate system as it exists in California to-day, it is to be expected that prisoners go out of prison worse than when they come in. It is a constant wonder that a greater number do not return than do come back. Under the congregate system, where convicts are herded together like a band of cattle without particular separation, where first offenders, whose moral perceptions are not hardened or blunted, associate and mingle with the most vicious and vile of the human race, the effect can not be otherwise than most pernicious. A youth commits his first crime. Perhaps he is not depraved nor of the criminal nature. He is found guilty and brought before the court for sentence. The judge, rising in all the majesty and dignity of the law, virtually says to him: "Young man, you have taken your first lesson in crime. You are as yet green, unsophisticated, and an ignoramus in the higher branches of the art of crime. You have a vast deal yet to learn before you become proficient, skilled, and accomplished in the devious ways and artifices of the professional malefactor. Therefore, that you may become a graduate in criminology, I am going to now commit you to an institution of learning where you will be taught, by old and experienced masters, all the wickedness the devil is capable of conceiving in the subtle ingenuity of his superhuman mind. You will mingle with learned professors, meet with them in daily, hourly, and constant intercourse, and they will take devilish pleasure and rejoice in malignant glee to perfect you in the science of lawbreaking. You will discover that criminal society inside prison walls has its social grades and levels, whales and little minnows, just as has the outer world. The heroes, the mighty men of valor and renown, those respected, venerated, and worshiped most highly are those whose violations of the moral and legal codes have been the most daring, devilish, and reprehensible. A petty sneak-thief is sneered at and looked down upon, while the bold midnight burglar, who has been fortunate enough to have killed his innocent and inoffensive victim, while in the pursuit of his high-class calling, is the man of all men honored and to whom homage is rendered. You being now in that plastic stage of life when minds, beliefs, and characters are easily molded, will doubtless, in such artistic hands, emerge from your temporary and first seclusion a beautiful specimen of criminal skill and workmanship, a human satire upon our boasted Christian civilization, and a sad commentary upon our present system of pernicious commingling prisoners in penitentiaries, without separating young offenders from old and vicious recidivists."

The judge does not deliver this charge to the erring youth by words of mouth, but he might justly do so, for in effect he really is sentencing this wayward novice to such prison influences. Our prison directors have advocated, in season and out of season, the vital necessity of grading the prisoners and the separation of first-time prisoners from

incurrigibles. They have recommended to the legislature to pass laws arranging the penal institutions into three classes, to the first of which those who have committed a first offense should be sent; another in which second timers should be imprisoned; a third in which the habituals and lifetimers should be incarcerated. Our legislatures and law-makers have not been persuaded as yet to pass the necessary enactments to permit the management to carry into effect their very pronounced opinions and beliefs regarding the proper segregation and classification of the penitentiaries of California in order to effect the permanent reformation of a much larger number of the inmates than is possible under the present congregate system. The State board of prison directors does not propose to cease its efforts nor allow itself to be discouraged by repeated past failures, but will continue striving to accomplish this much-needed reform in the prison system.

It is difficult to determine with any particular degree of accuracy the number of genuine recidivists received into our penitentiaries, nor the proportion of prisoners who go out better or worse than when they came in. Very frequently old offenders are received under the guise of first commitments. Many, very many, are doubtless at present serving terms under supposedly primary sentences who have already been incarcerated in prisons in other States and countries. Shrewd criminals rarely divulge their antecedent lives or tell the truth regarding themselves to prison officials or officers of the law. Until there is some national system of identification established and sufficient time has elapsed for historical research and definite knowledge to have been acquired regarding each and every felon in every prison in the United States, no statistics can be tabulated of genuine exactness. If the Bertillon system of identification were nationalized and made obligatory it would be possible, with suitable enactments providing for mutual cooperation and universal action in concerted harmony by officers of the law, in time, to determine the status of each offender with exactitude. The following table of prisoners received for the last ten years by the California State prisons at San Quentin and Folsom exhibits the number of first termers and recidivists as approximately as is possible under the unfavorable conditions of identification:

Year.	San Quentin.		Folsom.	
	First termers.	Recidivists.	First termers.	Recidivists.
1890	1,087	305	191	76
1891	951	321	186	11
1892	926	307	221	22
1893	1,037	221	171	54
1894	1,076	275	192	71
1895	1,018	269	257	80
1896	987	313	253	88
1897	1,139	219	189	86
1898	1,079	271	192	106
1899	1,065	259	105	69

From this tabulated statement the proportion of recidivists can be estimated. The increase is not absolutely accurate, as more pains and care were taken in later years in identification after being received into the penitentiaries.

Sentences.—It is not the usage in California to repeatedly sentence the same person for trivial faults to short terms of imprisonment. A first petty offense is punished by admonition, suspension of sentence conditioned upon good behavior, commitment to either one of the two reform schools in the State, or by local imprisonment in county or city jails or houses of correction. A second petty offense, with the charge of a prior conviction, raises it into a felony. All felonies are offenses punishable by imprisonment in a penitentiary for various lengths of terms, the two extremes of which are fixed by law, the sentencing judge determining the length of sentence, which can not be less nor exceed the two limits specified by statute for each particular class of felony. The law leaves with committing judges the discretion of fitting the punishment to the crime, within designated limits, in all first felonies. A repetition of a felony, coupled with the charge of a prior conviction of a felony, is punishable by the full extent of the term prescribed by law for the particular felony committed without discretionary power being allowed the trial judge.

It is a mooted question whether or not the different degrees of severity in sentences exercise any great deterrent influence upon the increase or diminution of crime. Under the congregate system and the present methods of penal management the life of a criminal within prison walls is comparatively a happy one. He is always sure of a good meal, a clean and comfortable place to sleep, tobacco to smoke or chew, careful attendance when ill, plenty of clothes to wear, and the society of congenial and kindred souls. Outside the environments of the penitentiary life is a constant struggle for him to live. Inside the inclosures his struggles are merely to obey the simple prison rules and regulations. Mr. William Tallack, secretary of the Howard Association of Great Britain, says:

The main object of prisons and reformatories is to be—empty. You are too cruelly kind to your criminals. It is the greatest real kindness to the community to protect it by making the condition of criminals unenviable. Make your sentences short, but sharp, and on the cellular separate system. Your prisons will never tend to be empty so long as you congregate your rogues in pleasant but demoralizing associated labor. Such labor, however well it may pay the State for the moment, is dear in the end. It is penny wise and pound foolish.

There is a measure that has been suggested, although not publicly and openly advocated, by many who have made criminal science a study, especially those who have investigated most carefully into the problem of heredity of criminal traits in the human race. The writer is of the firm belief that both physical characteristics and mental idio-

synergies can be prenatally transmitted from parent to offspring in the human family as well as in all the other animal kingdom. That inborn viciousness and inbred depravity are inherited as traits transmuted by means of the marriage relations of the opposite sexes; that vice breeds vice just as surely as speedy thoroughbreds breed racers; that from the seeds of confirmed criminals are produced malefactors just as certainly as that thistle seeds produce thistles, and about as prolifically. This has been exemplified most positively in the history of the celebrated breed of Jukes, so well known to all students in penology, as to only need this reference. The remedy for the spreading of the plague of thistles is to prevent the seeds from forming. A breeder of stock emasculates all those animals which possess malevolent proclivities and incorrigible dispositions, so that these imperfections may not be extended by sexual propagation. Confirmed, hardened, old offenders, those who are habitually vicious and uniformly lawless, incorrigible, and irreclaimable, should be subjected to the same process of ending their germinating power to transmit to their progeny the criminal nature and depraved characteristics of the inveterate evil doer. Castrate all men and spay all women who are in your penal institutions serving time for a third, or more, heinous offense or who are even serving a life sentence. Do it as a duty you owe the unborn and as a protection to society. Stop the propagation of this particular species as you would stop the spread of a deadly pestilence or contagious disease. This act would be lawful, it would be humane, and it would be essentially protective of the best interest of civilization and enlightened Christianity. It can be incorporated in the statutes with such a degree of equity and justness and fairness that no right-minded man could do else than commend the system.

Character and cause of crime.—Crime and poverty are twin children and go hand in hand together. The vast percentage of crimes in this State are those against property, conceived and undertaken for the purpose of unlawfully obtaining from others the things the perpetrator does not possess, but considers necessary to satisfy his desires and relieve his wants. The hotbeds of crime are among the poor and poverty stricken. A hungry, craving, empty stomach, and an easy opportunity to fill it from another's larder, results in the stomach being filled and the penitentiaries crowded. Ignorance may cause crime. But what is the root of ignorance? Poverty. Want of a trade may lead to crime, for the great majority of those sent to prison have no trade. But what causes the lack of a trade? Poverty. Intemperance is one of the great causes of crime. But where does intemperance flourish most? Among the lower classes, the poor of our cities. To them the liquor shop is picture gallery, club, reading room, and social salon. Vile liquor, vile resorts, and vile associations grow in the haunts of want, and not in the habitations of those more

fortunate possessors of the good things of this world. If there were no poverty our prisons would be comparatively depopulated and our criminal courts almost useless. What are the prime causes of the crimes that fill our prisons most largely? Poverty! Poverty! And again, Poverty! When food is plentiful and easy to get the courts take vacations. When our fields and shops are full of laborers, our prisons are deserted. When starvation and want enter the poor man's door, he enters the rich man's window. When famine and financial ruin ravage the land, the poverty stricken run into our prisons as places of refuge. Let a man's belly be full, let him possess an abiding place to lay his head, clothes to keep him warm, a dram to drink, and a pipe to smoke, with assured continuance of these blessings, coupled with the knowledge that he has earned them by honest industry and can do so in the future, then that man will never enter the portals of a penal institution, except as a marked exception to the general rule of human nature or an example of cranial deformity and moral insanity.

Reform schools for juvenile offenders.—There are two reform schools in California—one situated at Whittier, in the southern part of the State, and one at Ione, in the northern section. Both are conducted upon the cottage plan. They are both in their comparative infancy as yet, but the result is the same as in other States of the Union—highly satisfactory. The number of inmates of the two reformatories is shown in the appended tables, taken from reports made June 30, 1898:

Whittier State School, at Whittier.

	Boys.	Girls.	Total.
Number of inmates	262	54	316
Number out on parole.....	165	10	175

Total number under jurisdiction of school, 491.

Preston School of Industry, at Ione.

	Boys.
Number of inmates	141
Number out on parole.....	54

Total number under jurisdiction of school, 195.

These schools are conducted upon a more advanced and higher plane of corrective science than the State prisons, for the reason that they are the product and result of past and wide experience, gathered by special commissioners appointed for that purpose within the last ten years, while the prisons and the penal laws relating thereto are almost coextensive in time with the State itself.

Aid to discharged convicts.—The only society that gives any special

attention to discharged prisoners in California is the "Volunteers of America," of which Mr. Ballington Booth is the ostensible head, and his good wife, Mrs. Maude Booth, the soul and spirit, and life. But it is not the province of this society to alone look after discharged convicts. In reality there is no such organization in this State, very much to the sorrow and regret of all intelligent penologists, as well as the prison directors in particular. Bills and measures have been introduced in our legislature providing for an agency for aiding discharged felons, only to be shelved or smothered in the multitude of other interests requiring action and demanding consideration. It is a crying shame that this State has so long remained lagging behind in this most important requirement connected with advanced and enlightened method of warring on the enemies of organized society and Christian civilization. The devil and all his agents stand waiting outside the grim portals of our prisons, eager and ready to extend the welcoming grasp and helping hand to the poor outcast just discharged and throw open wide to him the doors to the gilded haunts of sin and vice, while "Alas, for the rarity of Christian charity" there is no humane hand to greet this unfortunate human being and help him up into a better manhood. Is it a wonder, then, that so many fall back again into crime? Is it not a marvel that the number of recidivists in California is not larger than shown by the records? M. Demits, the highest authority in the world on this subject, in the opinion of penologists, declares "There is no good penitentiary system without aid to discharged convicts." The prison management of California appreciates this proposition fully and proposes to never cease importuning our lawmakers until a statute is on our books creating a State agency for the aid of discharged prisoners, based upon the most advanced and approved Christian methods. May that day soon come.

The most important and only publication on penal matters, aside from the usual annual or biennial reports of the boards of directors of the penal and reformatory institutions of California, that has appeared within late years in this State is a very comprehensive and exhaustive work on "Penology," compiled by a board of commissioners appointed for that purpose by the governor in compliance with a legislative resolution. It was written almost wholly by the Hon. Robert T. Devlin, of Sacramento, Cal., and published by the State about ten years ago. The writer of this report has to thank that very valuable and able publication on criminology for many of the ideas embodied herein.

Prison congresses exercise important influences, not only on penal legislation but also upon prison management. The deliberations of wise, experienced, able specialists always are productive of good. This is a self-evident proposition and needs no argument to support it.

PRISON SYSTEM OF COLORADO.

By C. L. STONAKER,
Secretary State Board of Charities and Correction.

The Colorado State penitentiary was located at Canon City, Colo., originally as a Territorial prison of the United States Government, and after it was acquired by the State developed upon the general plans established by the United States Government. Its plan is the congregate system, technically known as the Auburn style of prison. The cell blocks, of which there are three each in a separate inclosure, are three stories in height, and with but few exceptions are single cells of an average size. The dining room is large enough to accommodate the entire prison population, who are given three meals per day, excepting Sundays, when two meals are served. Above this dining room is the chapel, where services are held each Sunday and where night schools are held during the week.

The prisoners are divided into three grades. At the time of writing there were 486 prisoners in the first grade, 94 in the second, and none in the third grade. All prisoners on their arrival are placed in the second grade, where they remain for a period of three months, at the expiration of which they are advanced to the first if their record is clear. Of the 94 second-grade prisoners, 49 were there from infractions of the rules, the remaining number not having been inmates long enough to be advanced.

The administration of the prison is by a board of commissioners of three members, alternating in terms of service, appointed by the governor. The warden receives his appointment from the governor. Over the penitentiary, as over other State institutions of a charitable or correctional nature, is the State board of charities and correction, with advisory power.

The special object of the discipline of the prison depends primarily upon the spirit dominating the State board of charities, the board of commissioners, and the warden. The individuality of the warden has much to do with the character of discipline established. During the past four years the administration has been conducted by a warden who has won the confidence of the entire prison population, with the result

that breaches of discipline are extremely rare and are of a minor character. The rewards are the personal favor of the warden, resulting in as favorable positions in the routine of prison work as it is possible for the warden to give.

There has been no form of prison labor to employ all the prisoners, and a portion of them lie in their cells, while others work on the farm, on the limestone quarries, at the limekilns, or in the stone yard where building stone is dressed. The lime rock, lime, and building stone are sold on the open market when there is demand for it, this business being seriously hampered by reason of the opposition of trades unions.

The punishments consist of solitary confinement in light and in dark cells, with limited diet. Rarely and upon special cases corporal punishment is inflicted by a wooden paddle. Extreme cases of punishment occasionally administered are hanging by the wrists for a brief period, extending from thirty seconds to four minutes.

The moral influence, aside from that of an upright, noble warden, is directed by the prison chaplain, an officer of the institution who devotes his entire time to personal work with the prisoners. He conducts the services in chapel on Sunday morning. No outside voluntary moral instruction is permitted. The result of this influence is not perceptible, and no statistics can be furnished in relation to this feature.

A night school, under the direction of the chaplain, is the main source of instruction. Only prisoners with good records are permitted to attend this school, and it is considered one of the privileges for good conduct. A library of several thousand volumes is maintained, and prisoners are permitted to draw books from the library at their discretion.

At the present time there is no distinction between penal and industrial work. Contract labor has been abolished by law, and the labor, both productive and routine, is done under the direction of the warden and board of commissioners. The State board of charities and correction has in view the establishment of some form of instructive labor that will give the prisoner some increased knowledge to assist him in leading a proper life when he is released.

The State shares with the prisoner in the punishment inflicted, as the State supports him while incarcerated, and it is the duty of the State to assist him to a knowledge that will enable him to earn his own living upon his release. At the present time the products of labor defray but a small portion of the expense of maintaining the prison.

The prison employees are chosen by the warden and serve at his discretion. Political influence has much to do with the employment of these subordinates, and the matter of qualification and previous experience has little to do with the selection. An urgent need of prison management is the adoption of civil service rules.

The prisoners in the Colorado State Penitentiary are fed better than most prisoners in the United States. The ventilation is nearly perfect, and the sanitary condition of a high order. During the past two years, in a prison population averaging 600, there have been 9 deaths—4 from consumption, 1 from syphilis, 1 from old age, 1 from cerebrospinal meningitis, and 1 from fever. During the past two years the number of sick, excepting chronic cases contracted prior to detention, will average about 1 per cent of the entire population. No case of typhoid has occurred in this penitentiary for eight years. The prisoners come out of this prison physically much better than when they entered, and, in a large majority of cases, their mental condition, their hopes, and their desires show improved conditions.

Sentences are administered by the courts, and the judges in the respective districts vary in their individual opinions relative to the terms of imprisonment. The laws of the criminal code of this State need thorough revision. At the present time the penalty is a minimum and a maximum sentence, and the individual judge considers each case according to his own personal experience and feeling and gives sentence accordingly.

Recidivists receive terms commensurate to the degree of offense in most cases rather than to the fact of their being recidivists. There is no law at present in this State regarding habitual criminals. An effort will be made to establish an indeterminate sentence, with a parole system and a habitual-criminal act. During the past two years the proportion of recidivists from our own prison was 13.3 per cent, while the proportion of all recidivists in the prison approaches very nearly to 50 per cent of the entire population.

Capital punishment has been abolished in this State without any apparent increase in number of murders committed, but with a better showing for speedy trials and convictions. Since the establishment of the law abolishing capital punishment 50 per cent of murder trials have resulted in convictions.

The penitentiary system, with the criminal code and its penalties, appears to have no effect in increasing or diminishing crime. The most frequent crimes or misdemeanors committed in this State are burglary, larceny, and grand larceny. The causes of these crimes are lack of moral training and special instruction in the principle of the property rights of people. To acquire something for nothing is the desire of most people, and the fear of punishment does not deter.

The State board of pardons, consisting of members appointed by the governor, holds monthly meetings at the State capitol for the purpose of considering applications for executive clemency from the State penitentiary. All cases are inquired into by the secretary, and summaries of the findings, accompanied by recommendations of the trial judge and prosecuting attorney, and by additional written or oral

information, pro and con, are considered by the board, and, upon vote, recommendations to the governor are made by this board. The result of this is to relieve the executive of much annoyance and sacrifice of time, and to protect the executive in a wise, considerate, and humane administration of the pardoning power vested in him by the State constitution.

Wisely administered, without political influence, the State board of pardons is a valuable adjunct to prison discipline and the reformation of criminals. In the absence of the indeterminate sentence and parole in the State penitentiary, the State board of pardons is of great value. It is proposed upon the adoption of the indeterminate principle in future legislation to increase the duties of the State board of pardons by authorizing the board to pass upon all recommendations for parole coming from the prison warden and penitentiary commissioners, this board to make its recommendations to the governor, who shall have final jurisdiction in granting paroles, as the chief executive now has in granting pardons. In this event the granting of pardons will be limited to special cases which can not be reached by the rules of the indeterminate sentence law.

The State of Colorado conducts a State reformatory at Buenavista for prisoners believed to be first offenders and in whom there is a strong hope of reformation. Offenders between the ages of 16 and 30 may be sentenced upon the indeterminate plan to the reformatory, where they are released upon parole, subject to the rules of the prison management. The reformatory is under the control of the board of penitentiary commissioners, and is directly managed by a warden appointed by the governor. The prisoners are housed in a cell block, are fed in a general dining room, and are kept busy at work on a large farm and in routine work about the shops and prison. In every respect the reformatory is superior in appointments and comfort to the penitentiary, and the prisoners' moral, intellectual, and physical condition are improved by their terms of commitment. The result of the parole system as conducted here is remarkably encouraging to the plan. Over 80 per cent earn their final discharge, and but a small percentage violate their parole and return to criminal ways.

Individual moral and intellectual instruction in the cells is given by the chaplain and rapid progress is made by the convicts.

The State maintains an industrial school for boys at Golden and an industrial school for girls in Denver, both being conducted with a view to the early reformation and parole of the inmates. They are given moral, intellectual, and physical training, and the general atmosphere is wholesome and salutary.

Aid to discharged convicts is given in worthy cases by a private society known as the Colorado Prisoners' Aid Society, which is in correspondence with the wardens and with charitably inclined persons

who have work for deserving cases recommended by this society. Although it has been in existence less than a year, it has accomplished much good work and is in a position to do much better work in the future.

Under the influence of the State Board of Charities and Correction many reforms are continually advocated and a number of them adopted in penal, charitable, and correctional institutions of the State, and through public addresses, a State conference of people interested in charities and correctional work, and through publication of timely articles in the local press a public sentiment and a general knowledge is developed which results in the prompt acceptance of reformatory ideas and improved methods.

PRISON SYSTEM OF CONNECTICUT.

By THOMAS DUDLEY WELLS,

Associate Commissioner for the International Prison Commission, State of Connecticut.

General organization.—The penitentiary system of the State of Connecticut is concentrated in the State prison at Wethersfield. The general management of the institution is vested in a board of 7 directors, who are appointed by the governor, with the advice and consent of the senate, and who hold office for a term of four years, not more than 4 members retiring at one time. The directors appoint the warden, the prison physician, and the prison chaplain, who hold office during the pleasure of the board; but all the other officers, usually about 45 in number, are nominated by the warden and confirmed by the directors. In order to be eligible to an appointment as officer the applicant must possess a good moral character and temperate habits, fulfill certain prescribed conditions as to age, height, and size, and pass “a satisfactory mental and physical examination before the prison physician.” In the warden is vested the absolute power of dismissal of the subordinate officers, and while they are appointed for no given period, practically they hold office during good behavior and efficiency.

The general practice is to assign a newly appointed officer to the lowest position and to promote him as vacancies occur and as his capabilities justify. The monthly compensation of the subordinate officers ranges from \$125 for the deputy warden to \$42 for an attendant in the insane ward; but as an encouragement to long tenure of service the monthly pay of an officer who has been continuously employed for three years is increased \$5, and if he has been continuously employed eight years an additional monthly advance of \$5 is granted. Considerations of party politics are excluded from the selection of officers and from the general administration of the prison.

Classification and discipline.—A system of progressive classification obtains in the prison, and convicts are divided into three grades—first, second, and third. Prisoners in the first and second grades wear suits of blue and gray, respectively, while those in the third or lowest grade are attired in black and white stripes. Under the graded sys-

tem, as administered in this State, the convict works out his own salvation, and although inducements to sustain good conduct are held out, it depends, in the last analysis, wholly upon himself whether he rises to the highest grade or sinks to the lowest. The grading is based entirely upon his prison behavior, and no account is taken of his antecedents. Upon his admission to the prison the convict enters the second or intermediate grade. Promotion to the first grade is conditioned upon his earning 50 out of a maximum of 54 credit marks within six consecutive months, while the loss of more than two marks in one month subjects him to degradation. Motives are supplied to encourage him to practice the qualities of good citizenship within the prison walls, but if he fails and falls he must suffer the consequences, though, having failed and fallen, opportunity is provided for him to rise again through continued meritorious conduct. The privileges and honors attached to the different grades vary materially, and although the census of the three classes is a constantly shifting quantity, ordinarily and under normal conditions the prison population is divided approximately as follows: Seventy per cent in the first grade, 25 per cent in the second grade, and 5 per cent in the third grade.

The prison is a congregate institution, and the silent system obtains except in the hospital and the female ward. The discipline is firm, yet kind, and while insisting upon obedience to established regulations, it is designed to exercise a helpful and not a repressive influence on the individual. In the administration of punishments the disposition, character, and prison record of the offender are taken into consideration. The customary penalties imposed are a reprimand, forfeiture of good time, reduction in grade, and solitary confinement. Except in very rare instances corporal punishment is not inflicted. Under the "good-time" law a convict may, by obedient conduct, earn a diminution of five days a month from the term of his sentence. Measurements of each convict according to the Bertillon system are taken upon his admission to the institution.

Population.—The average daily census of the prison during the fiscal year ending September 30, 1898, was 505. The population of the institution during the present year (1899) is substantially 515, and if the estimate of the State board of health that the present population of Connecticut is 893,000 be taken as a basis for calculation, the number of felons now imprisoned at Wethersfield is 577 for each million inhabitants. The number of female prisoners rarely exceeds 15 and seldom falls below 10. The number of convicts has notably increased during the past six years, and the daily roster of prisoners is now fully 40 per cent larger than it was in 1894, but it should be added that the population of the State has undergone rapid expansion the while. It is a curious fact, not easily explainable, that the population of the prison was substantially stationary for a period of ten years prior to 1893.

The present accommodations are inadequate, and a condition of congestion prevails. Owing to the insufficient cell room many convicted prisoners—the number usually ranging from 25 to 75—are temporarily detained in the county jails until quarters can gradually be provided for them at Wethersfield. A legislative appropriation of \$125,000 has recently been granted for the purpose of making enlargements and improvements at the prison. The criminal population of the State is increased by the geographical proximity of southeastern Connecticut to Greater New York. Many crimes—more particularly offenses against property—are committed by criminals whose headquarters are in the city of New York, and who make predatory excursions into Connecticut.

Employment and earnings.—The productive industries which are carried on at the prison are shoemaking and shirt making, and in them about 345 convicts are employed. The manufacture of shoes is conducted on the contract system, under which the State receives the arbitrary daily sum of 50 cents for the labor of each convict, while the shirt factory is operated upon the piece-price plan, under which the earnings of the prisoners depend directly upon the amount of the completed product. Under each system the State retains full supervision over the convicts while at work, and no authority over their discipline is vested in the contractors. The products of the penal industries command practically the standard market price, and the competitive effect of the prison labor upon the free labor of the State is scarcely appreciable. Not over one State prison convict to every 2,600 inhabitants of the State is productively employed.

The annual income from the manufacture of shoes and shirts ranges from \$40,000 to \$45,000, and the total prison revenues represent from 55 to 60 per cent of the current expenses of the institution.

Sanitation.—During the past few years systematic efforts have been made to improve the sanitary conditions of the prison, and the results have vindicated those efforts. The institution is situated upon the banks of the Connecticut River, and the low and marshy ground, supplemented by malarial influences, upon which the plant is located interposes serious obstacles to effective sanitation. Each cell is equipped with a water-closet and independent plumbing and is supplied with running water. Especial attention is paid to general cleanliness. The prisoners are given a weekly shower bath, and at regular intervals are exercised by squads in outdoor military drill. The men are now fed in their cells, but the construction of a congregate dining room is under contemplation.

The disease which causes the most trouble at the prison, and which, owing to indoor and climatic conditions, is difficult to combat, is pulmonary tuberculosis. Upon their admission to the institution not a few convicts are either victims of pulmonary affection or else are in a condition that renders them peculiarly susceptible to it. Over 11 per

cent of the recruits to the prison population during the past few years has, upon entrance, been suffering from phthisis, while a much larger percentage has been physically unsound from other causes, especially syphilitic affections. The importance of this fact as bearing upon the general health of the institution is obvious when it is remembered that men ordinarily enter the prison at an age when their physical development should be at its best estate.

A hospital ward, in which the victims of an aggravated attack of pulmonary consumption are isolated, has been established. A row of contiguous cells in the main cell block has been set apart for the concentration of the incipient cases of phthisis, and with those cells extra sanitary precautions are taken. A resident physician is employed.

Under the improved sanitary conditions the health of the prisoners has been amended and the mortality reduced. The death rate per 1,000 population during the past few fiscal years has been as follows: In 1894, 43.95; in 1895, 29.77; in 1896, 29.62; in 1897, 11.56, and in 1898, 19.70.

Religious, moral, and educational influences.—The religious interests of the prison are attended to by a resident Protestant chaplain, and by a Roman Catholic chaplain, who, residing in town, makes regular visits and is subject to call. Religious services are held each Sunday under both Protestant and Roman Catholic auspices. A Young People's Society of Christian Endeavor, whose membership consists of about 20 carefully selected convicts, holds regular meetings during the winter months.

A literary and debating society, in which first-grade prisoners are eligible to membership, holds fortnightly meetings. A night school, in which the elementary branches are taught to illiterate offenders, holds two sessions a week during the school year. Books from a library of over 3,000 volumes are issued on Mondays and Fridays to convicts in the first and second grades, and the annual circulation is not less than 23,000 volumes. A monthly paper containing local prison news and miscellaneous matter is published by the convicts under the editorial supervision of the chaplain. Prisoners of the first grade may receive approved secular weekly newspapers. A series of entertainments, for which outside literary and musical talent is engaged, is conducted during the winter, and upon the Fourth of July and Thanksgiving Day patriotic exercises are held.

Insane convicts.—In 1897 the legislature granted an appropriation of \$38,000 for the erection of a ward for the confinement of convicts who became insane after being committed to prison. The insane ward, located at the southwest corner of the main prison plant and being practically detached from the other parts of the institution, is a substantial brick structure of 62 cells, and is equipped with workshop, idle rooms, shower baths, walled exercise grounds, and quarters

for disturbed and suicidal cases. When a convict is deemed by the prison physician to be insane he is transferred to the insane ward, where he is detained until his amended mental condition warrants his return to the main prison. The statute authorizing the erection of the insane ward also provides for the appointment of a consulting physician in lunacy who must make a monthly examination of each insane convict and who is also subject to call.

The serious objections, partly practical and partly sentimental, which inhered in the former custom of transferring insane prisoners to the Connecticut Hospital for the Insane at Middletown, an institution which is designed for the civil insane and which lacks adequate safeguards to prevent the escape of dangerous criminals, have been ended, and it is believed that in the humane and scientific care of its convict insane Connecticut is now surpassed by few, if any, Commonwealths of the Union. A prisoner who is insane at the time of his release is turned over to the civil authorities.

Pardon and parole.—The State board of pardons, consisting of the governor, a justice of the supreme court, and four members appointed by the governor, holds stated meetings semiannually and possesses large discretionary powers in granting releases. Under a law passed in 1897 the board also has authority, under prescribed conditions, to liberate certain classes of first-term offenders upon parole. The affirmative vote of each member of the board is necessary in order to grant a full pardon, while a majority vote suffices for a parole. The conservatism with which the board exercises its authority is indicated by the fact that during the past two years only 11 pardons and 7 paroles have been issued. Up to the present time no paroled prisoner has violated the terms of his conditional liberation, although one has voluntarily surrendered his parole.

Aid to discharged convicts.—The only organization for the aid of discharged convicts is the Connecticut Prison Association, which is supported in part by the State and in part by voluntary subscriptions. A committee from the association visits the prison monthly, has an interview with each convict who is on the discharge list, and ascertains his circumstances, ambitions, and probable worthiness. Upon the day of his release he is met at the prison gate by the agent of the organization, who renders him such material aid as the needs of the case appear to demand and the resources of the association justify. Each case is treated upon its individual merits, and the value of the work which the association is accomplishing is not open to question. The prison supplies each released convict with a complete suit of citizen's clothing.

Misdemeanants.—The jail system in Connecticut is under the control of the commissioners and sheriffs of the various counties, although the board of the prisoners is paid directly by the State. Each county has a jail, and Fairfield and New London counties each have two jails.

The average daily population of the jails during the fiscal year 1898 was 1,074, and the total number of prisoners confined in them in the course of the year was 8,905, of whom 7,992 were males and 913 females. Of the total of 8,905, not less than 5,195 are known to have served previous sentences in penal institutions. Including the inmates of the State prison, the total average daily convict population of the State, in 1898, apart from juvenile offenders, was 1,579.

Juvenile offenders.—For juvenile offenders the State has two institutions—the Connecticut School for Boys at Meriden and the Connecticut Industrial School for Girls at Middletown. The school for boys has a population of nearly 450, and criminals under 16 years of age may be sentenced to the school to remain until they reach their majority. The graded system obtains at this institution, and an inmate may, by uniform good conduct, reach the honor grade within a year of the time of his commitment. The members of the honor grade are eligible to release upon probation. The average term of residence at the school is twenty-two months.

Girls between the ages of 8 and 16 years, who are living idle, vagrant, or vicious lives, or who are in obvious danger of lapsing into evil habits, may be committed to the school for girls for the remainder of their minority. Special training designed to repress the antisocial tendencies of the inmates and to promote the development of useful qualities is given, and many girls who have attained the honor grade are placed out in suitable homes. The population of the institution is about 260.

For several years the question of establishing a State reformatory has been agitated, and in 1895 a law creating such an institution was enacted, but, partly for reasons of economy, was repealed two years later.

Sentences and crimes.—The average length of the sentences of convicts (apart from life prisoners) confined in the State prison is about four years and eleven months, but through the operation of the "good time" law this average may be reduced to substantially four years and two months of actual incarceration. Of the 513 felons in confinement on September 30, 1898, 53 were serving terms of life imprisonment. The longest time sentence was twenty-five years, and two prisoners were undergoing that period of confinement. Six prisoners were committed for twenty years, 14 for fifteen years, 24 for ten years, 57 for five years, 37 for four years, 68 for three years, 80 for two years, 37 for one year, and the remainder for various periods ranging from three months to eighteen years.

It is difficult accurately to determine the number of recidivists, but statistics covering a period of years indicate that about 12 per cent of the prisoners discharged are sooner or later returned to the institution. This estimate, however, does not include those who may be subse-

quently committed to penal institutions in other States or to county jails in this State. One convict has been convicted nine times, and is now held in confinement under the habitual criminal law, which was enacted in 1887, and which provides that a person who has been three times convicted of felonies whose minimum penalty is two years imprisonment shall be deemed an incorrigible, and may be detained at the prison for a period of twenty-five years. The principle of cumulative punishments is recognized in the criminal law of the State, and one statute provides that the penalties which are inflicted on recidivists guilty of felony may be twice as great as the maximum punishment allowed for first offenders. The same principle operates in the penalties provided for some minor offenses. For instance, the punishment for the first conviction for being a common drunkard is hard labor in the workhouse for not more than sixty days; for the second conviction, a minimum sentence of one hundred and twenty days and a maximum of two hundred and forty; and for the third conviction, a minimum penalty of two hundred and forty days and a maximum of one year. The probation principle in dealing with petty offenders receives no specific statutory recognition in this State, but it is not infrequently practiced by some police-court judges, who often suspend a sentence or continue a case for thirty days in order to give the prisoner an opportunity to mend his habits. This exercise of judicial clemency is usually accompanied by advice and a warning. Habitual petty offenders, especially drunkards, are repeatedly sentenced to brief periods of jail imprisonment or to pay a fine, which is ordinarily "worked out" in jail. The results of this method of treating petty criminals are confessedly unsatisfactory.

Upon the basis of State prison statistics more felonies against property than against the person are committed in Connecticut. Of the 513 prisoners in Wethersfield on September 30, 1898, 12 had been convicted of arson, 51 of assault with intent to kill or to murder, 131 of burglary, 15 of forgery, 44 of horse theft, 16 of manslaughter, 51 of murder, 22 of rape and 20 of assault with intent to commit rape, 19 of robbery of various kinds, 54 of theft and theft from the person, and the remainder of various offenses. Of the 8,905 misdemeanants committed to the county jails during the fiscal year 1898, 510 were sentenced for assault, 859 for breach of the peace, 101 for being common drunkards, 3,973 for drunkenness, 727 for larceny, 137 for lewd conduct, 130 for resistance to officer, 314 for trespassing on railroad property, 772 for vagrancy, and the others for a variety of offenses.

Of the 513 convicts in the State prison on September 30, 1898, 37 were under 20 years of age at time of commitment, 236 between 20 and 30, 144 between 30 and 40, 60 between 40 and 50, 31 between 50 and 60, and 5 over 60.

PRISON SYSTEM OF KANSAS.

By H. S. LANDIS,
Warden State Penitentiary.

Penitentiary system.—We use the solitary system so far as confinement in cells is concerned, but the congregate system in the dining room and in chapel, school, and literary exercises, to which we pay close attention. Ours is a penitentiary, pure and simple. We have no parole law, good conduct being rewarded by the “good-time” law, effecting a reduction in sentence, and by a cash record in the shape of daily earnings.

General administration.—The prisons of this State are held under two administrations; the one being this penitentiary, the other an industrial reformatory at Hutchinson, Kans., for prisoners having committed first offense, and less than 25 years of age, who can, by good conduct, under the parole law obtaining there, virtually determine the term of sentence.

Discipline.—Intimidation has no part in the object of discipline here, excepting in so far as this obtains everywhere in keeping in subjection the vicious and unreasonable element found in all prisons. The discipline tends to reformation, and every resort available is used to build up in the prisoner the hope of a better future. They are encouraged to use, and do use, a fine library. We have an average of four books read a month by each prisoner. Besides, we take an average of one daily newspaper to each four prisoners, one magazine to each six, and a weekly newspaper for each prisoner, subscribed for by the prisoner, and paid for by him. No paper is excluded on account of partisanship, and all but those generally recognized as sensational are admitted. Our punishments are, depriving of tickets, which means a deprivation of school, library, and visiting privileges, confinement in cells on solitary, and confinement for grave offenses in the dungeon.

Moral and religious influences.—The moral welfare of the prisoner is looked after by a resident chaplain, aided by a Catholic priest, who holds services regularly, and with whom prisoners have the utmost freedom of counsel. We have many conversions, occasionally baptising prisoners.

Instruction.—We have no night school, being confined to an afternoon day school, every Sunday, attended by about half of the prisoners. Our facilities are such now that we turn out no illiterates. Our curriculum ranges from the most elementary to instruction in grammar, elementary sciences, arithmetic, algebra, and the languages.

Work.—One hundred and forty prisoners are employed under the contract system; the rest are employed on State account. I much prefer work on State account, and were it not for the long-time existing contracts, should bring about the change as rapidly as possible. One reason for this opinion is that the contractor is always interested in what, at times, seems to me to be an undue crowding of the men, which gives rise to constant irritation and annoyance in the shop, requiring constant adjudication. Another reason is that to me it seems wrong for any private individual to be permitted to profit by the labor of those whose time has been confiscated to the Commonwealth. Placing a general cash value on the work of the prisoners on State account, adding to it cash received for labor on contract account, the prison, for the fiscal year ending June 30, 1898, paid all expenses and netted, in addition, fifteen thousand and some hundred dollars.

Administrative personnel of prisons.—We have no civil service in this State, consequently the personnel is too often changed. Under some administrations the personnel is very high; under others it has been low. Under the present administration men to become employees in the prison must be of medium age, good stature, physically sound, and be vouched for by responsible parties as to temperament, disposition, and sobriety. There are no special schools in which to prepare employees for their duties. I should regard such schools as wholly unnecessary and tending to reduce the system to a farce.

Sanitary condition of prison.—The diet is abundant, wholesome, fresh, and varied as much as possible; ventilation is perfect; prisoners are required to be neat; sickness is remarkably low. This prison lost during the entire year, for every prisoner here, an average of less than four days' work because of sickness and injury from all causes.

Moral reform of criminals.—They go out better, in my judgment.

Sentences.—Conditional sentences, cumulative and indeterminate sentences, have not been introduced.

An effort was made during the session of 1897 of the Kansas legislature to enact a parole law such as is in operation in several of the States of the Union. It seems to me that a parole law, to be just and at the same time safe, must lodge the paroling power, not in the officers of the State penitentiary, but in the hands of the district judge, who is familiar at the time with every incident of the trial, with every mitigating circumstance that the course of the trial may have developed, with the prisoner and his relatives, and his past and general reputation and theirs, and who can weigh the equities and the argu-

ments for and against the privilege of parole. It seems to me that no danger could be incurred by the community in conferring this power upon a judge, with such restrictions as might seem proper.

Character and cause of crime.—The most frequent crimes are those involving larceny, though they may be burglary or highway robbery, caused, not wholly, of course, but very frequently, by the depressed condition existing in all communities incident to bad legislation. Another frequent crime is statutory rape.

Reform schools for juvenile offenders.—We have one reform school for boys; also, one industrial school for girls; general result, excellent.

Aid to discharged convicts.—We have no societies other than the various religious societies, whose action is spasmodic, without a well-defined plan. We hope to do something along this line when the legislature next convenes.

PRISON SYSTEM OF MAINE.

By Rev. C. A. PLUMMER,
Chaplain State Prison.

The penal code of the State of Maine provides for the detention of wrongdoers in jails, reformatories, and in prison.

The State has two reform schools, one for boys under 16 years of age, and the other for girls. The general results in each have been quite satisfactory, though with the increase of years and the lessons of experience we may hope for better results. There are 136 inmates in the boys' reformatory and 60 in that for girls.

The State of Maine has but one prison, situated in Thomaston, on the bank of the St. George River. The system is confinement in individual cells and daily labor in shops.

The supervision of the prison is vested in the governor of the State and the executive council, but the government and direction are in a board of three inspectors and one warden, each of whom is appointed by the governor and approved by the executive council; one deputy warden, one clerk and commissary, and such number of overseers as are necessary for the direction of the work in the shops, who are appointed by the warden with the approval of the board of inspectors. The results of the government have been very satisfactory.

The especial object of the discipline is the reformation of the prisoner. Both rewards and punishment are used as means of discipline, but marked preference is given to rewards. The punishment inflicted is solitary confinement and the dark dungeon, with only bread and water. The rewards are a small sum of money each month of good behavior and the shortening of the term of sentence seven days for each month of good behavior.

The means of moral and religious improvement are a regular service of preaching on the Sabbath, religious conversation and such other instruction as the chaplain may consider helpful to the prisoner, and religious reading, books and papers, provided each week.

The prisoners in the question of educational proficiency range from those who can neither read nor write to college graduates. The last report shows that of the prisoners received during the last prison

year 25 per cent could neither read nor write the English language and only two of these could read and write the language of their native land; 4.3 per cent could read, but could not write; 38 per cent had enjoyed the advantages of the public schools; 20.6 per cent had completed the grammar-school course of study in their respective towns and cities; the remaining 12.1 per cent had been favored with advantages found in the high schools and academies, and some had taken a partial collegiate course. All who desire or who can be persuaded to study are taught either personally or in classes. They are also furnished with two books from the prison library and a copy of some of the leading magazines each week.

The industries are the manufacturing of carriages, sleighs, brooms, harness, and furniture. All labor is directed by the administration. This system seems to be better adapted to the primary object of prison discipline and labor—the reformation of the prisoner—for it brings the persons to whom the work of reforming is committed and the prisoner more closely and continually in contact. The receipts from the labor of the prisoners does not fully meet the expenses of the prison for the following reasons:

First. But few come to prison who have a trade. Most are apprentices during the term of imprisonment and are discharged as soon or before they are capable of doing profitable work.

Second. The unusual expenses necessary to prison discipline, not known to similar industries outside of prison walls.

The prison employees are chosen by the warden, with the approval of the inspectors. They are of two classes—overseers and guards. The overseers have charge of the shops, direct the work, and instruct the prisoners. The guards, under the direction of the deputy warden, enforce the discipline of the prison. Political status has but a minimum of influence in the selection of the employees. There are no schools in this State in which men are especially trained for the duties of prison employees. Such training would be helpful to the right man, but could never make an efficient officer of one lacking the natural qualifications for the office.

The food is plain, wholesome, and in sufficient quantity and variety. The grounds, floors, walls, and corridors are kept neat, and the men are required to keep their persons and apartments cleanly.

The prisoners are healthy. No epidemic disease arising from conditions within the prison walls is known among the men. The latest report shows but four deaths during the year, and two of the four were life-sentenced men, who had long passed the average of human life.

Do the prisoners go out of prison better or worse than they were when they come in? Some are undoubtedly made worse through the unavoidable associations of prison life. But such choose the bad, and

would so choose amid any of the ordinary conditions of life. Others are led to reflect upon the results of wrongdoing, and to turn into right ways of thought and living. The latest report shows that only 12.15 per cent are serving other than their first sentence; and a number of these 12.15 per cent are serving their first sentence in prison, their previous commitments having been to reformatories or jails.

The method of simple admonition and of probation has been tried to some extent, but not sufficiently to determine with any degree of satisfaction its effect upon the increase or diminution of crime. The crimes for which prisoners have been committed to prison are about equally divided between those against property and those against persons. The most prolific causes of crime are the lack of home training, the want of industrial training, idleness, intemperance, and evil associates.

There are no societies within the State to look after discharged convicts. The chaplain has given attention to this subject and obtained employment for such of the men as he could recommend and who had no home to which they could return or friends to assist them in obtaining honorable employment.

PRISON SYSTEM OF MARYLAND.

By GOLDSBOROUGH S. GRIFFITH,

Associate Commissioner for the International Prison Commission, State of Maryland.

Maryland contains a population of 1,400,000 souls; of these 250,000 are colored. Though far from being the largest State in the Union, she is, in some respects, one of the most important, embracing the Chesapeake Bay and commanding an extensive commercial intercourse, besides being a great railroad center. The resources of Maryland are exceedingly great. She is one of the richest States in her soil, coal-mining interests, fish and oyster trade, and her climate is delightful, as the State stretches from the seashore for 400 miles westward to the Blue Ridge Mountains, the Chesapeake Bay dividing the eastern from the western shores, nine counties being on the eastern shore and fourteen counties on the western shore. Baltimore, having a population of 700,000 people, the largest city in the State, is the Monumental City, the Liverpool of America, having one of the finest harbors in the world. Its early history is full of stirring events; its later records are full of grand achievements. There are a great many important manufactories. It is a city of immense wealth, and notable for its benevolence and hospitality; also well known as a social, educational, and business center of America.

Penal and reformatory institutions.—The prominent penal and most of the reformatory institutions of the State are located in or near the city of Baltimore.

There is but one State penitentiary, and that is located in Baltimore. The whole number of its inmates in 1898 was 855: White males, 359; white females, 4; colored males, 450; colored females, 42. While there is only one-fifth of the population of the State colored people, yet the prison population of the penitentiary averages 64 per cent colored. At the close of the year 1878 the population of the penitentiary was 927, and notwithstanding the great increase of 300,000 of population in the State during the last twenty years the prison population has greatly decreased. The congregate system prevails so far as the manufacturing departments and the public religious services in the chapel are concerned. They also take their meals together; but at *night each prisoner occupies his own cell.*

General administration.—The Maryland Penitentiary is the most important penal institution in the State. The managing powers are lodged in the board of directors for the Maryland Penitentiary. This board is appointed by the governor of the State, and the board of directors appoints the warden, and the subordinate officers are appointed by the warden, subject to the approval of the board of directors. Political influences enter somewhat into these appointments, and the effects must be regarded as highly injurious to prison interests.

Discipline.—The discipline in the Maryland Penitentiary is positively deterrent. It earnestly aims to be reformatory. The agencies employed are moral suasion, positive discipline, labor, and reward. Rewards are opportunities for doing overwork, for which the prisoner receives compensation and also a deduction of two months from each year, and other privileges, which are inducements and are productive of the best moral results.

Moral and religious instruction.—There being no chaplain officially appointed by the board of directors of the penitentiary, the Maryland Prisoners' Aid Association, which was organized April 1, 1869, assumed the duty of educating and training the prisoners in the doctrines and principles of the Holy Bible. The general agent of the Maryland Prisoners' Aid Association is, by virtue of his office, acting chaplain of the institution, and he has a large number of volunteer ministers and laymen, who heartily cooperate with him in the Sunday schools and preaching services. There are two flourishing Sunday schools in the penitentiary—one male, the other female. These Sunday schools were organized forty years ago by the president of the association, and being the first of the kind, became models for the formation of prison Sunday schools in other States of America and in other countries. The influence of prison Sunday schools has become a mighty lever for good, and far-reaching in its uplifting influences upon the unfortunate prison population.

In addition to the Sunday services the general agent visits the hospitals and ministers to the spiritual necessities of the sick and dying, and also personally visits the prisoners in their cells and in the workshops and holds personal interviews with them, and we find that this personal contact is very important and often leads to results that are impossible in stated religious services. This personal work gives opportunity to learn their particular condition and needs, and thus the appropriate instruction can be given orally or by the medium of suitable religious tracts, papers, and books that suit the individual cases. Every Sunday afternoon at 3 o'clock there is a voluntary service held in the large and commodious chapel, which is fitted up with pipe organ and all accessories, having a large choir composed of prisoners, who are statedly taught and led by the organist. The leading ministers of the different denominations of the city officiate under the

auspices of the Maryland Prisoners' Aid Association. Mr. G. S. Griffith, president of the association, takes charge of this service, which is exceedingly interesting and helpful. The prisoners not only listen with earnest attention to the reading of the Scriptures and sermon, but join heartily in the religious song service, which is considered one of the most inspiring services that could possibly be presented to an audience. The sermons are gems and full of power.

Instruction.—The general condition of criminals in point of education on commitment is about the average; many of them, however, especially among the colored portion, have not had any advantages in an educational line, about one-fifth being unable to read and write.

There are some advantages afforded for the acquisition of the rudiments of an education and even for more advanced studies of the sciences and history. The library, which is very extensively read, contains 5,000 volumes, and is exceedingly helpful and highly appreciated by the prisoners, the librarians being convicts who are especially intelligent and well adapted to this department.

In the Maryland penitentiary the contract system prevails. The contractors pay a per diem for each prisoner's labor, which is a given task. The warden has supervision of the men, to see that there is no imposition practiced by the contractors upon the prisoners, the greatest care being used to preserve their health and spirits. The remuneration goes toward the support of the penitentiary. This remuneration has been sufficient for a number of years past to pay all current expenses of the institution, and the directors have been able annually to pay a balance into the State treasury, that to 1898 amounting to \$30,000.

The convicts during the year 1898 made by overwork the sum of \$27,000, which they are permitted to use to purchase such things as are allowed in prison or to send to their families, subject to the discretion of the warden. More than one-half of the amount earned by overwork is sent to the families of the prisoners or those dependent upon them. The chief manufacturing industries are shoe-shops, iron foundry, and marble works. These industries are of special help to those employed, as they give an opportunity to learn a trade that will become useful and essential after release. Many of them become very expert in the branch in which employed while serving sentence. We believe heartily that the prisoners are greatly benefited by the religious services and spiritual oversight given them, and this is enhanced by the trade that is learned and the habit of industry that is formed while in prison. Many hundreds of prisoners who have left this institution, embracing a period of many years, have become stanch citizens; some of them have become active, earnest Christian workers in their communities and some few have become ministers of the gospel, wielding a telling influence for good; but the largest part

of them have formed Christian homes and are either carrying on business for themselves or occupying positions with respectable firms.

Aid to discharged convicts.—We lay great stress upon the importance of meeting prisoners upon release and taking oversight of them. The general agent meets them at the office and their plans are formed for the future, as far as possible securing employment, furnishing tools, provisions, meals, lodgings, shoes, clothing, and transportation to their various homes, or where there is prospect of securing employment. A general supervision is kept by the association for an indefinite period, and many testimonials are received, both verbally and by letters, assuring us of their very high appreciation of our services rendered in the time of their greatest and most critical need.

During the last eleven years the Maryland Prisoners' Aid Association has had every possible facility and courtesy extended by the very efficient warden, Mr. John F. Weyler. The facilities for prison reform will be much enhanced when the building, costing \$2,000,000, is completed, as it will be one of the best and most modern penitentiary buildings in the United States.

THE CITY JAIL.

The Baltimore city jail, which is a modern and model institution of the kind, is second in importance as a penal institution in the State of Maryland. In 1898 the total number of prisoners was 10,392; colored males, 3,655; colored females, 920; total colored, 4,575; white males, 5,371; white females, 446; total whites, 5,817. In 1875 there were 14,130 commitments, while in 1898 only 10,392 commitments, notwithstanding the great increase in population. This was brought about through the change of the magistrate fee system, which was imposing burdens upon the taxpayers and also overcrowding the jails through commitments on trivial charges in order to secure the fee for every arrest made. Through the efforts of this association, magistrates were appointed for each station house under specific salary, which has been an immense saving to the State, and has wiped out a blot on her fair escutcheon. The same system as that at the penitentiary prevails in the jail. The warden has supervision of the men while under contract, so that they are protected in every respect. The prisoners are together in the workshops, and at their meals, and also in religious services, but are, as far as possible, confined to separate cells at night. The board of visitors (which is the board of managers) is appointed by the mayor, and the board elects a warden, who recommends the names of his officers for the approval of the board. The contract system prevails in the jail.

Discipline.—The discipline of the jail is positive and earnestly looks to the reformation of the prisoners. The agencies employed are moral teaching, firm discipline, hard labor, and rewards.

Moral and religious instruction.—The Maryland Prisoners' Aid Association has the arranging and supervision of the religious services held in the institution. There is a Sunday school and regular preaching services every Sunday in both the male and female buildings. The various denominations are given opportunities through their ministers and laymen to assist in the preaching and Sunday-school services. The building for the women is entirely separated from building for the males and is under the supervision of a matron, hence there is every opportunity for the best results in reform efforts.

Educational influence.—There is a course of lectures for the youthful prisoners on Saturday afternoons. There is a day school for the boys, besides a library of 3,500 volumes, well selected, on literary and religious topics, which is highly appreciated by the prisoners and extensively used. The majority of the prisoners are committed on petty charges, such as intoxication, trespassing on public property, vagrancy, disturbing the peace and the like, and are, therefore, imprisoned only for a short sentence. The religious services are heartily enjoyed by the prisoners, and we believe that impressions are made that will tell in after life. Mr. William Hall, the active and earnest warden of the jail, furnishes every opportunity and heartily acquiesces in every reform that the association undertakes in the jail.

THE MARYLAND HOUSE OF CORRECTION.

The Maryland House of Correction is situated 16 miles from Baltimore, in the direction of Washington, D. C. It stands on a commanding elevation, and is a substantial stone and brick building. There is a farm in connection with it that goes far toward supplying the products for the institution. The building for the women, which is under the supervision of a matron, is so constructed as to be entirely separate from that of the males. The number of prisoners committed during 1898 was 1,483—white males, 576; white females, 34; colored males, 412; colored females, 55.

The contract system is in vogue in the Maryland House of Correction. The industries are mat and rug making, broom factory, and bottle shops. The management has oversight of the prisoners while under contract and sees that there is no imposition of any sort practiced upon them. The prisoners are together in the workshops, dining hall, and in the chapel, but kept in separate cells, as far as possible, at night.

Religious services and instruction.—The Maryland Prisoners' Aid Association furnishes religious services in the institution every Sabbath, and these services are interesting and helpful to the prisoners, who heartily engage in the singing and listen with marked attention to the reading of the Bible and the preaching of the gospel. The *genial and efficient* superintendent, Mr. C. M. King, and officers of

the Maryland house of correction show every courtesy and give every possible facility to the association and its Christian workers, who lead the religious services and work among the prisoners. As far as possible we meet the hopeful cases that are released from both the jail and house of correction, furnishing them with substantial aid and employment when possible, or giving them transportation to their homes or where they may obtain employment, but our efforts among them have not the results that we have from those released from the State penitentiary.

The State is divided into 23 counties, each containing a jail and an almshouse. The Maryland Prisoners' Aid Association, through its president and general agent, visits these institutions at least once a year, providing for religious services, as far as possible, for each Sabbath, inspecting the management and institutions, distributing Bibles, hymn books, and substantial religious literature. These institutions are greatly stimulated in their efficiency of management by suggestions given, and new buildings on modern plans are taking the place of old structures, so that our jails and almshouses compare favorably with the best in the country.

REFORMATORIES.

St. Mary's Industrial School, a mammoth institution, containing 536 boys between the ages of 8 and 21 years, located near the city of Baltimore, is the largest reformatory in the State of Maryland. The management well compares with the stately buildings and is worthy of the highest commendation. The State and city are represented in the board by appointments by the governor and mayor.

The dormitories, play grounds, school rooms, reading rooms, bath rooms, dining rooms, are everything needful for cleanliness, comfort, education, and development of body and mind. The elegant chapel is open, with its regular services to lead the boy to the worship of God.

The sanitary condition is perfect, and the cleanliness, coziness, and order speak the truest notes of praise for Brother Dominic, the superintendent, and his carefully trained staff of Xaverian Brothers, whose lives are devoted to this particular work.

Three hundred and fifty little boys, under 12 years of age, attend school six hours each day, three sessions. Twenty boys are employed in the printing office. Every boy is compelled to attend school. Those in the various shops attend from 7 to 10 in the morning. The farm of 160 acres is under excellent cultivation, and made a handsome yield last year.

The musical department is of great interest to the boys. The brass band comprises 36 boys, the orchestra 24, the fife and drum corps 30, and 5 trumpeters. There is also a vocal class of 250 boys.

The inmates of this large institution are not all committed for mis-

demeanors, but many are committed on account of destitute circumstances or not having parents or proper guardians, and some are sent to the institution from other States.

THE HOUSE OF REFUGE FOR BOYS

Has a commanding sight and is splendidly equipped with buildings. Mr. Robert J. Kirkwood has been the superintendent for twenty-three years. The buildings are in perfect order, clean, bright, and cheerful. There are three separate divisions, each having dormitories, playgrounds, schoolrooms, reading rooms, dining rooms, bathrooms, all complete.

The small boys attend school morning and afternoon; the larger ones, five hours in the morning and two in the afternoon, and manual-training school two hours each day. A class of fifteen boys is instructed three afternoons each week in the art of printing. The boys have access to a well-selected library and also a large number of weekly and monthly papers and magazines on religious and industrial lines. Family worship is held twice each day by the superintendent. Sunday school is held each Sunday at 9 a. m., and church service is conducted at 3 p. m., by Sunday-school workers and ministers of the various denominations.

The health of the boys has been remarkable, only one death having occurred during the year, and that from a surgical operation.

There were 240 boys in the institution; the average during the last year was 237. The sanitary condition is good and the heating perfect.

THE FEMALE HOUSE OF REFUGE.

The Female House of Refuge, situated in Baltimore City, has commodious buildings and grounds for the advantage of its 85 inmates. This institution is well conducted by the superintendent, Miss Martha Stewart, and her subordinate officers and teachers. The girls are not employed continuously, but alternate between the schools and workshops, and are greatly encouraged by receiving a portion of their earnings. Proper provisions are made for the spiritual needs of the inmates. Religious instructions are imparted daily to the inmates and also there is an interesting Sabbath school, which is a source of pleasure and profit to the girls.

THE INDUSTRIAL HOME FOR COLORED GIRLS.

The Industrial Home for Colored Girls, situated at Melvale, Baltimore County, is a model institution of its kind and the first established in the United States for this class of offenders. There are 130 girls in the institution. It is under Mrs. H. F. Whittemore's able superintendency. This institution has entered upon its seventeenth year of uplifting work among the colored girls of the State who are committed

to it for various causes, chiefly, however, in consequence of incorrigibility, vagrancy, or because of the neglect of their parents or guardians properly to provide for them.

From the "mixed multitude" so gathered the home aims, with signal success, to develop the good which is latent in every breast. Habits of industry are inculcated; manners and morals are carefully looked after. Under painstaking and conscientious instructors the young women are thoroughly drilled in all departments of household work.

The priceless advantage of a good common-school education is conferred upon them, and the practical rewards of thrift are shown through the placing to the credit of each sewing-room operator of a portion of her extra earnings. Silver medals are awarded to the girls for good behavior and diligence in the school and workshops. This gives special encouragement to the girls, and is fruitful of much good in the institution.

The average annual earnings of the girls for the past three years amounted to \$4,000, a showing with which, it is believed, that of no other reformatory in the country can compare.

That industrial-home girls make good domestics, there is a preponderance of testimony from those who have been glad to employ them. Other graduates from the "home" have become self-supporting through their earnings from the same needlework industry which they learned within the "home."

HOUSE OF REFORMATION FOR COLORED BOYS.

Located at Cheltenham, Prince George County. This institution was organized in 1873. The farm connected with this institution contains about 700 acres under good cultivation, the labor of the larger boys being utilized in that way. The smaller boys are kept at work caning chairs, etc. Some of the boys are to be found in the shoe and tailor shops furnishing the inmates with necessary articles of clothing, as well as in the bakehouse, laundry, blacksmith shop, kitchen, etc. The schools have been kept open during the entire year. The moral and religious welfare of the inmates is carefully looked after, and instruction given them according to their religious inclinations.

The institution is superintended by Rev. Nathan Thompson and a corps of officers and teachers. There are 260 inmates, and this institution is the first of the kind organized in the United States.

THE HOUSE OF THE GOOD SHEPHERD FOR COLORED GIRLS.

The House of the Good Shepherd for Colored Girls, located on the Calverton road, is a Catholic institution for delinquent colored girls, and is under the management of Sister M., of St. Paul, superioress. Since its organization it has received 203 girls. The institution has at the present time 85 inmates. Manufacturing fancy articles and over-

alls are the principal industries. The educational advantages and training fit the girls for self-support when released. This institution was opened on September 29, 1892.

HOUSE OF THE GOOD SHEPHERD.

The House of the Good Shepherd, a Catholic institution, was opened in the city of Baltimore on August 6, 1864, in a capacious building situated on the corner of Mount and Hollins streets, in the western part of the city, comprising an entire square, for the purpose of establishing a home for fallen and unfortunate women and girls who desire to reform. The institution was placed under the charge of the Sisters of the Good Shepherd, whence the name is derived, and their lives are devoted entirely to the good work of sheltering and reclaiming unfortunate and abandoned women and girls, as well as protecting and preserving from danger young girls and small children without proper parental care and training.

The work of the institution consists of all kinds of needlework, from the plain shop work to the finest and most exquisite sewing and embroidery that can be done by hand, and as an evidence of the proficiency of the latter, orders are received for it from all parts of the country.

The institution comprises three departments—the reformatory, the preservation, and a community of Sister Magdalens. In the reformatory are the fallen women and abandoned women and girls from any cause whatsoever, as well as those of lesser blemish of character, whether committed by magistrates of the State, brought by friends, or coming themselves voluntarily with the good desire of reforming.

The preservation department is for children without parents or friends, or without the proper parental care, and young, unprotected girls in danger of going astray. Those in this department have no communication whatever with the inmates of the reformatory; even their chapel and grounds are separate and distinct from each other. These young girls and children have every day some hours of study in the plainer branches, the rest of the time being employed in industrial training, consisting of the different kinds of needlework, both fine and machine sewing, as well as their own washing and housework. When they reach the age of 18 years and wish to leave the institution, good homes or situations are procured for them by the sisters and the many young girls saved in this department and becoming good and useful women in society is a subject of great consolation to the sisters in charge.

The present number of inmates in the institution is 282. The number of inmates received in the reformatory of the institution since its organization is 1,631. The number received in the preservation department, many of whom are small children, is 842. There are 43 institutions of this kind in the United States.

LOCATIONS.

In a word, the situation of the reformatory institutions in Maryland is a subject worthy of note. They are generally located in the most healthy sections of the city or county, on broad streets, wide avenues, or eligible farms, the sanitary advantages always having been considered in selecting a site. The buildings are erected on high grounds, affording capacious yards or areas for exercise during the hours of recreation. They are constructed with large windows, wide passages, and broad stairways, with a view to obtain the unobstructed rays of light from the rising to the setting of the sun, and a free and full circulation of pure air. It is a fact which marks the history of these various institutions that the inmates are exempt in an extraordinary manner from epidemics or sporadic diseases. Their list of mortality records fewer deaths than occur in common households among a comparative number of children and youth.

Experience teaches that the essential elements of health will promote the moral, as well as the physical, growth of human nature. The genial influences of air and sunshine will penetrate the heart and generate kind feelings, stimulate bright thoughts, and excite the hands to useful works.

WHAT HAS BEEN ACCOMPLISHED BY THE MARYLAND PRISONERS' AID ASSOCIATION.

By frequent visits to the penal and reformatory institutions throughout the State, thoroughly investigating their condition and management, great changes have been effected, which have brought them, with few exceptions, up to a standard that will compare favorably with similar institutions throughout the country, and is in keeping with the teachings of Christianity. The public press, publishing promptly our criticisms given without fear or favor on buildings, management, abuses, and the like, has helped us to accomplish desired ends. Better classification, the separation of the sexes in the institutions, was secured through the efforts of the association.

The first matron in the city jail was appointed through the influence of the association, and also the first matron in the central station of Baltimore. The magistrates' fee system, with all its pernicious features and the great burden on the taxpayers by overcrowding the jails through commitments on trivial charges, was changed in Baltimore city, as already noticed, through the efforts of the association and magistrates appointed for each station house under specific salary, and consequently no advantages accruing to an officer by commitments. Within twenty-four years the remarkable decrease in commitments to the city jail is over 4,000 annually, notwithstanding the great increase of population in Baltimore. The act giving the judges of the courts

discretionary power to suspend sentence in the cases of the young and first offenders has proved to be the salvation of such offenders, who otherwise might have been degraded and ruined for time and eternity. This association has been the means of pointing out the necessity for other important charities and needed reforms. It has been the direct means of the organization of the following societies: The House of Reformation for Colored Boys, at Cheltenham, Prince George County; the Industrial Home for Colored Girls, at Melvale, Baltimore County, the first institution of this kind established in the United States; the Maryland House of Correction; the Society for the Protection of Children from Cruelty and Immorality. The Henry Watson Children's Aid Society, though established prior to the incorporation of the Maryland Prisoners' Aid Association, was conceived and organized by three of the charter members of the Maryland Prisoners' Aid Association.

Also there is an official and active committee of the Maryland Prisoners' Aid Association whose duty it is to receive those cases that come before the court whose sentences are suspended in accordance with an act of the general assembly of the State of Maryland, in 1894, above referred to. The judges of the criminal courts are now making frequent use of this law and committee, and the results are most gratifying.

The Maryland Prisoners' Aid Association was organized in 1869, and has wielded a powerful influence over the penal institutions, and reforms in general, in the State of Maryland. It has published annually a report of its labors and proceedings. Its president, Mr. G. S. Griffith, has published pamphlets from time to time on prison reform, especially regarding the Southern prison system and that of the State of Delaware. These documents have been widely distributed and have accomplished great good. The city papers, as well as religious journals, have published many important articles of interest from year to year.

The Maryland Prisoners' Aid Association is supported by voluntary subscriptions entirely, there being no appropriation from the city or from the State. It has done exceedingly great work for the past thirty years with very little money. By the help of God, we intend steadily to increase its efficiency and usefulness to the protection of the lives and property of our citizens and the salvation of the immortal souls of the prisoners.

The governor of the State, the judges of the courts, and other officials of the State and cities, highly appreciate and heartily indorse the work of the Maryland Prisoners' Aid Association, and regard it as an important adjunct to their several courts and police departments. These indorsements from the officials, received from time to time, show the great appreciation of the untold benefits and immense saving to the cities and State.

PRISON SYSTEM OF MASSACHUSETTS.

By FREDERICK G. PETTIGROVE,

General Superintendent of Prisons.

Penitentiary system.—The congregate system of imprisonment is used for all prisoners in this State excepting for a few inmates of the State prison. In 1895 a small building containing 60 cells was erected in the State prison yard for the segregation of such convicts as, in the judgment of the warden, can not be safely employed in the associated workshops. Up to the present time not more than 30 of the cells in that building have been used for such a purpose.

There is no exact classification of prisoners in respect to their sentences or places of imprisonment. Under the statutes of Massachusetts the courts have a wide discretion. For example, one judge may sentence a convict to the State prison for larceny, while another judge will sentence a convict for a similar offense to the house of correction or reformatory. Furthermore, there is a great inequality in the punishments prescribed by the statutes for particular offenses, and this variance is based upon the theory that much discretion should be vested in the court in order that the judge may adapt the sentence to the particular circumstances under which a crime is committed. It is unnecessary to make a further explanation on this point, as these remarks will suffice to show why prisoners can not be exactly classified in this State. Brief descriptions of the different places of imprisonment may perhaps give a better view of the prison system than could otherwise be presented, and they are accordingly given in the following paragraphs.

The State prison is used exclusively for the imprisonment of persons convicted of serious crimes. Only male persons can be sentenced thereto, and the courts can not impose a sentence to this prison of less than two and one-half years. The terms of sentence vary according to the crimes and the discretion of the judges. The longest sentence, except for life, is twenty-five years, which is the sentence prescribed by the statutes for an habitual criminal, who is one convicted of felony and who has already served two terms of imprisonment of at least three years each. At the present writing there are 834 prisoners in the State prison.

The reformatory prison for women receives female convicts upon sentences of one year or over. Persons convicted of serious offenses and those convicted of misdemeanors are alike committed to it in the discretion of the courts. In this prison the inmates are divided into classes, and work their way from one class to another by their conduct. There are no prisoners under sentence for life here, although there is nothing in the statute which prevents that penalty from being carried out in this place. It may be remarked that at the present time only two women are undergoing life imprisonment in Massachusetts, and they are in the county prisons.

The Massachusetts Reformatory was established in 1884 as a place of imprisonment for the younger and more corrigible male offenders. The prisoners are divided into three grades, and go from one to the other according to their behavior and industry. The only restrictions as to the persons who may be committed to this place are that no person above 35 years of age can be committed here for drunkenness, and no person above 40 years of age for any other offense, nor can the courts sentence to the reformatory a man who has three times before been convicted and sentenced. At this time there are 947 prisoners in this place.

The State farm receives only prisoners who are convicted of drunkenness, vagrancy, and like misdemeanors. This institution is not used exclusively as a prison. Connected with it is the asylum for the criminal insane. At the beginning of October, 1898, there were 729 prisoners in custody in the prison department of the State farm.

There are 22 county prisons, consisting of 5 separate jails, 3 separate houses of correction, and 14 institutions each combining a jail and house of correction under one management.

The jails are used mainly for the detention of witnesses and the custody of persons awaiting trial. The houses of correction are used principally for the imprisonment of persons convicted of misdemeanors, but as has already been noted in the explanatory statement above, some persons who, under the law, could have been sentenced to the State prison are committed to these institutions. The number of prisoners in all the county prisons on the first of this month was 4,661. It may be convenient to note here that the total number of prisoners under sentence in Massachusetts on that date was 7,449.

General administration.—The prisons of this State are not under one central authority in regard to the general administration. The general superintendent of prisons, however, whose authority relates only to prison industries, controls and directs the work of prisoners in all State and county prisons. The warden of the State prison and the superintendents of the reformatories are appointed by the governor of the Commonwealth. It should be noted here that there is a board of commissioners of prisons who have the general supervision over the

State institutions, and are required to inspect the county prisons at stated intervals.

The State farm is under the control of a board of trustees appointed by the governor of the Commonwealth, and this board in turn appoints a superintendent, who selects his own subordinates.

The jails and houses of correction are under the control of the sheriffs. A sheriff may either keep the institution under his charge himself or appoint a deputy to perform that duty. There is a single exception to this rule in the county of Suffolk, which has the largest population of any county in the State, and is principally made up of the city of Boston. In this county the jail is kept by the sheriff and the houses of correction are under the control of an officer known as the penal institutions commissioner, who appoints a master for each house of correction in the county.

Discipline.—The avowed object of the discipline in all the institutions is to correct and reform prisoners. In all prisons solitary imprisonment upon a diet of bread and water is used as a means of enforcing discipline. This is the only punishment resorted to, except a deprivation of privileges for slight misconduct. And in every prison a convict having a sentence of four months or over can earn a deduction from the term of his imprisonment by good conduct.

Moral and religious influences.—Religious services are held in all the prisons. In the larger prisons there is a chaplain who devotes the greater part of his time to individual work among the prisoners; and where this is not practicable visiting clergymen occasionally give their services to similar work.

Instruction.—The question as to how much schooling the prisoners have had at the time of incarceration can only be answered by giving the relative proportion of illiterates at the time of commitment.

In 1897 of those committed to the State prison and Massachusetts reformatory 8 per cent could neither read nor write when received; 11 per cent of the women sent to the reformatory prison for women in that year could not read and write; and of those committed to the State farm and the county prisons in that year 12 per cent were unable to read and write. In each prison having a sufficient number of inmates to warrant it a school is maintained for the instruction of the illiterates; and there is also a library in each prison.

Work.—The work in all the prisons is arranged, as far as the statutes will permit, with a view to giving useful instruction to the convicts. In some instances, owing to the small number of prisoners and to other circumstances, it is not practicable to establish skilled industries. Moreover, so many statutory limitations have recently been put upon the prisons in this respect that it is impossible to employ a sufficient number of convicts upon skilled work to furnish that kind of occupation for all the inmates. There are no contractors in the prisons

under any circumstances, and the only work that is done for outsiders is that of cane-seating chairs in a few houses of correction, and making umbrellas in one place. All other work is done on public account. A part of the convicts are employed in the manufacture of goods, which are sold in the open market, and another part are employed in making goods for institutions, under a law which went into effect in 1898. There is no prison in this State where the products of the labor suffice to pay the expenses of maintenance. The general sentiment of the community is against the employment of prisoners for the sake of profit, and is strongly in favor of making their work serve solely the ends of instruction and training.

The entire expenditure for the support of prisons in 1897 amounted to \$1,196,000, but the receipts from labor were only \$200,000, making a deficit of \$996,000.

Administrative personnel of prisons.—The employees of each prison are appointed by the officer in charge and are continued in the service during good behavior. It has been so many years since political considerations applied to the selection of prison officers in this State that it is fair to now make the general statement that no political influences control the selection of subordinate officers of the prisons in Massachusetts. The qualifications of subordinate officers in the State institutions are ascertained in an examination conducted by the civil service commissioners, and no subordinate officers can be appointed except from the list of eligible candidates prepared by those commissioners. It is provided, however, that a man who has served in the Army or Navy in time of war may be appointed without such examination. There are no schools to prepare prison employees for their duties, but the warden of the State prison and the superintendent of the Massachusetts Reformatory may take from any county prison an officer whose service there has fitted him to become a useful subordinate in the State institution.

Sanitary condition of prisons.—There is no established dietary for prisoners, and the food varies according to the judgment of the officer in charge.

As a rule the ventilation of the prisons is good. The commissioners of prisons are required to make visits at stated periods to ascertain if the prisons are kept clean and well ventilated and to particularly note the condition of the cells used for purposes of punishment. Strict rules have been established to secure order and cleanliness in the prisons, and these rules are generally well observed.

In all the larger prisons a well-equipped infirmary is maintained for the treatment of the sick, and in every prison the services of a physician are available whenever a convict requires such attention. The rate of mortality is low in all the prisons, notwithstanding the fact that the inmates generally come from a class whose habits tend to produce *debilitation and weakness*.

Moral reform of criminals.—It is impossible to say what proportion of the prisoners who are released from the prisons are again convicted and sentenced. The nearest approach to reliable data upon this subject is to take the figures of the State prison, which show that last year less than 11 per cent of the prisoners committed had served previous sentences in that institution. A large number, however, had doubtless served terms in other places.

Some years ago the Bertillon system of identification was adopted for the State prison and Massachusetts Reformatory, but until its use becomes general in all the prisons it will be impossible to identify all convicts in such a way as to obtain reliable statistics upon the subject of recidivists.

Sentences.—It is the practice of the courts to repeatedly sentence the same person for drunkenness or other slight misdemeanor to a short term of imprisonment, and at the house of correction at Deer Islands, which serves practically as a city prison for Boston, it is not unusual to find a man who has been committed half a dozen or more times in one year. Boston is only a typical instance, as the same custom prevails in all parts of the State. This accounts for the large number of commitments, and it may be remarked in this connection that the student of Massachusetts prison statistics should bear in mind that there are not as many separate offenders as the number of commitments would seem to indicate.

Some trivial cases are placed on file by the courts after the offender has been warned and admonished. The probation system was generally introduced into all the minor courts in 1891, and last year provision was made by the legislature for its general adoption in the superior courts.

The only cumulative sentences, aside from that of the habitual criminal already noticed, are for night walking, and for common and notorious thieves. The second conviction of either of these offenses carries a longer sentence than can be imposed for the first offense.

The indeterminate sentence was applied to the Massachusetts reformatory in 1886, and a prisoner sentenced to that place can be released when he has complied with certain conditions which are established by the rules of the commissioners of prisons. A few years ago there was applied to the State prison a form of indeterminate sentence which prescribed the minimum and maximum terms of imprisonment; and under it a convict may be released by the commissioners of prisons at any time after he has served the minimum term.

The character and cause of crime.—There is so great a difference of opinion as to the cause of crime that the only observation which it seems safe to make in regard to this subject is that two-thirds of all the commitments to Massachusetts prisons are for the offense of drunkenness. It may be interesting to add the further statement that

seven-eighths of all the arrests are made in the cities, which contain two-thirds of the population of the State. About two-thirds of the arrests in the cities are for drunkenness, while only one-half of the arrests in the towns are for that offense. Of the whole number of prisoners committed for serious offenses two-thirds are convicted of larceny.

Reform schools for juvenile offenders.—There are in Massachusetts two reform schools for juvenile offenders; one is known as the Lyman School for Boys, and the other as the State Industrial School for Girls. These schools are under the control of a board of trustees appointed by the governor of the Commonwealth. The most modern and improved methods of government are used, and every effort is made to relieve them, as far as possible, of any resemblance to a penal institution. As far as can be determined by statistics and general observation the work of these schools has been beneficial to the community. In 1897 there were 257 boys in the Lyman school and 144 girls in the industrial school.

Aid to discharged convicts.—There are two private charitable organizations for the assistance of discharged convicts; but the greater part of the work of that kind is done under the authority of the commissioners of prisons, who appoint agents to disburse the funds appropriated by the State for the assistance of discharged prisoners.

Publications.—The most important publication on penal matters is the annual report of the commissioners of prisons, which gives full statistics in regard to all criminal matters. This report is published in January of each year. There is also the report of the general superintendent of prisons, issued annually in January, which deals exclusively with industrial matters in the prisons. Special features have been introduced into the annual reports of the commissioners at different times since the board was organized, but the only special report of any length emanating from that commission is one on a new State prison, which was published in 1894. In 1898 the general superintendent of prisons submitted to the legislature a special report on the various methods of employing prisoners on public works and lands.

THE DEATH PENALTY.

The legislature of Massachusetts, in 1898, made an important change in regard to the death penalty by providing that in future all sentences of death shall be executed at the State prison instead of at the jail of the county in which the crime was committed, as heretofore. It also abolished hanging as a method of inflicting that penalty, and provided that the sentence shall be carried out by "causing to pass through the body of the convict a current of electricity of sufficient intensity to cause death."

PRISON SYSTEM OF MICHIGAN.

BY O. M. BARNES,

President of the Joint Prison Boards.

Punishment.—Punishments imposed for crime and misdemeanor are fines and imprisonment, one or both. Corporal punishment is not adjudged in this State for any crime, nor is the death penalty inflicted in this State, except for treason; but no punishment for treason has ever occurred in this State. Neither is permanent legal disability imposed as a consequence of conviction. Imprisonment may be for life, and for murder in the first degree may be solitary confinement. In practice solitary confinement is not continued beyond a few months except in extreme cases, because of its injurious effects upon the health and mental capacity of the convict.

The prisons and other places of detention and their supervision.—Accused persons, before conviction and sentence, if not allowed out on bail, are confined in the jails awaiting trial. All counties have a county jail. It is in charge of the sheriff of the county. These, besides being places of detention of accused persons awaiting trial, are made use of as places of punishment for minor offenses.

The places provided for the imprisonment of offenders after sentence are—

First. The State prison, located at Jackson.

Second. The branch of the State prison, located at Marquette.

Third. The State House of Correction and Reformatory, located at Ionia.

Fourth. The Detroit House of Correction, located at Detroit.

Fifth. The Michigan asylum for the dangerous and criminal insane, located at Ionia.

Sixth. The Industrial School for Boys, located at Lansing.

Seventh. The Industrial Home for Girls, located at Adrian.

These institutions are each governed by a board of control consisting of three members besides the governor of the State, who is a member ex officio of each. The members of the board are appointed by the governor, by and with the advice and consent of the senate. The

term of office is six years. Of each prison the chief officer is a warden. The chief officer of each of the other institutions is denominated a superintendent. The superintendent of the asylum for insane criminals is a physician and denominated the medical superintendent. The superintendent of the Industrial Home for Girls is a woman, and the board of control is composed in part of women. The prisons have their forces of guards, keepers, and other officers; the Industrial School for Boys and the Industrial Home for Girls their forces of attendants and teachers, and the asylum for insane criminals its force of attendants. The following table will exhibit the employees of each institution, as shown by the last official report, together with the number of inmates in each:

Name of institution.	Em- ployees.	Number of inmates.
The State prison	55	852
Branch of prison at Marquette.....	24	200
State house of correction	53	477
Asylum for insane criminals.....	47	240
Detroit House of Correction.....	45	a 653
Industrial School for Boys.....	50	b 854
Industrial Home for Girls.....	38	c 408
a 88 females. b 272 out in families. c 108 out in families.		

The prison force in all cases includes a deputy warden, a clerk, a physician, and a chaplain. The warden of each prison is appointed by its board of control, and so the superintendent of each of the other institutions is appointed by its board. They hold their offices indefinitely. They can not be removed except for cause, but may be removed at any time for business reasons. (See secs. 4, 5, act 118, Laws 1893.) The subordinate officers of the prison are appointed by the warden, subject to the approval of the board, and hold office during the pleasure of the warden and the board, and the same is the case in the prison for criminal insane, and the institutions for juvenile offenders. The superintendent appoints the officers and employees under him or her with the approval of the board, and the tenure is the same.

Supervision.—No central supervision of the penal institutions exists, but the boards of the three prisons meet in joint session every six months to determine the lines of industry to be pursued, and to discuss matters of common interest. Each warden and superintendent makes a monthly statement of the affairs of his institution to its board of control. The boards themselves make a monthly examination, and every two years a full report to the governor of the State of the operations and condition of their respective institutions. These reports are printed and laid before the legislature.

Assignment of offenders.—The assignment of offenders to the different institutions is substantially the following: On conviction of the

graver offenses the convict is sent to the State prison or to the branch of the State prison. For less grave offenses to the State House of Correction at Ionia or to the Detroit House of Correction. On conviction of murder or treason the offender must be sent to the State prison or to the branch of the State prison. Only male convicts are sent to the State House of Correction. Females, if not sent to the State prison, are sent to the Detroit House of Correction. Murderesses are sent to the State prison, but may be transferred to the Detroit House of Correction. Young offenders, under the age of 16 if a boy and 17 if a girl, on conviction of any offense not punishable by imprisonment for life, unless incorrigible or unfit from disease for a reformatory, are sent the one to the Industrial School for Boys and the other to the Industrial Home for Girls, the boys until they reach the age of 17, the girls 21, unless sooner discharged by the board of control.

The board is authorized to discharge these juvenile offenders before the expiration of their term if they have become reformed. The theory in regard to them is that training, education, and discipline are the means most effectual to protect society and save the offender. The law provides that they "shall be kept disciplined, instructed, employed, and governed" until they be reformed and discharged or until they arrive at the age prescribed for release. (How. Stat., sec. 9819.) These institutions for juvenile offenders combine the characteristics of the home, the school, and the place of correction. If the person be so vicious and incorrigible as to be unfit for these institutions and yet be within the ages named, the sentence is to the penal institution indicated by the sex, age, and crime.

Juvenile disorderlies and truants of both sexes are committed to these homes for detention, discipline, and schooling, but only when suitable private homes can not be obtained for them, and until such homes can be arranged for them.

These institutions (for juvenile offenders) are not surrounded by walls as the prisons are, nor are the windows grated. The inmates are classified and assigned to different dormitories, each of which is under the care of a teacher or matron, or both. All the inmates attend the schools.

Industries suited to the sex and condition of the inmates are taught in these institutions for juvenile offenders. Each institution has a farm and garden connected with it; the Industrial School for Boys its shops, the Industrial Home for Girls its work-rooms also.

Special provisions regarding juvenile offenders.—There exists in each county of the State an agent of the board of corrections and charities appointed by the governor. When a complaint is made to a magistrate against a juvenile offender for an offense not punishable by imprisonment for life, this agent is notified before further proceed-

ings. He examines the case, as well as the parentage and circumstances of the accused, and advises with the magistrate. The accused may be returned to parents, guardian, or friends, or, on proof of the offense charged, bound out to some suitable person, or discharged on suspended sentence, or fined, or sent to the industrial school if a boy, to the industrial home if a girl. If the offense charged be disorderly conduct (and this includes truancy), and the offender between the ages of 8 and 14, it is the duty of the magistrate, if it be the first offense, to suspend sentence. As a conviction impairs self-respect and is an obstacle to success in life, if there is reason to believe that the accused will be deterred from further offense by admonition, and the offense be minor, some magistrates do not proceed to a conviction, but give the person accused an opportunity to save himself from conviction by thereafter observing the law.

This course in the hands of discreet magistrates is attended with good results. There were 1,185 arrests of juvenile offenders during the year last reported; 558 of those arrested were returned to parents or discharged; 176 released on suspended sentence; 117 fined; 274 committed to the industrial school or home.

Placing boys and girls in private families.—The inmates of the Industrial Home for Girls and the Industrial School for Boys are put out in private families whenever, in the judgment of the board of managers, on the recommendation of the superintendent, this course is best for the inmate and the State. If the inmate's parents or guardian be suitable custodians he may be returned to them or him in such case. In practice those committed to these institutions remain therein only about one-half of their term on an average. Those out on parole and in families remain in charge of the institution till the end of the term for which they were committed, unless sooner discharged by the board on reformation. The superintendents keep watch over them and those who have them in their families, and may take them back into the institution at any time the superintendent deems this course the best. A life in a suitable family is deemed better than a too prolonged detention in the public institution. For the purpose of such supervision of the inmates out in families the superintendent or some suitable officer visits these boys and girls as often as is deemed necessary, and so does the agent of the board of corrections and charities. And they and the families that have them are required to report from time to time, by which means the superintendent is kept informed.

The dangerous and criminal insane.—Persons accused of committing or of attempting to commit crimes, but who can not be tried and convicted because of their insanity, also those who are accused, tried, and acquitted on the ground of their insanity, if the insanity continues, and also those convicts that become insane during their imprisonment in the prisons, are committed to the Prison for the Dangerous and

Criminal Insane, where they are treated for their malady the same as in other asylums for the insane. If the convicts recover before the end of their term of imprisonment they are returned to the prison from whence they came.

Sentence.—The indeterminate sentence of convicts does not exist in this State in direct terms. A law passed some years ago did provide for an indeterminate sentence in certain cases, at the discretion of the court. It was held unconstitutional, so that it is not in force.

The principle of it exists and has for many years in the case of persons sent to the Industrial School for Boys and to the Industrial Home for Girls. The boards of these institutions have each the power to release the inmates on the showing that they are reformed and cured of the evil habit at any time before the end of the sentence. But this principle is not applied to adult inmates of the prisons. The prisoner in certain cases, however, may be allowed on parole for a part of his term, but the parole does not have any effect on the term of the sentence of imprisonment, nor does it take away the liability of the convict to be returned to and kept in the prison.

Suspended sentence.—Express provision exists for release on suspended sentence in the case of juvenile offenders, as previously stated, and the same course is sometimes pursued with adults on first conviction for minor offenses.

Habitual offenders.—The practice exists in this State, as in many others, of sentencing offenders guilty of repeating minor offenses to quite the same punishments for the second and subsequent offenses as for the first. The result is that many of this class repeat similar offenses many times and are convicted over and over. Many of those best qualified to judge believe that the treatment of this class of offenders should be reformed, and public opinion is strongly tending toward the conclusion that such convicts should be treated with reference to their character and habit rather than for one particular offense, disconnected from the preceding ones, and that they should be treated for a cure of the habit, and to this end that, on being adjudged habitual misdemeanants or criminals, they should be sentenced to imprisonment for an indefinite period, to be released, quite as the insane are from the asylum or the sick from the hospital, when they are cured of the criminal habit. That the power to place such habitual offenders on parole should exist, and that before final release they should be placed on parole to test their reformation and so that, before the end of their term, if found to still have the criminal habit, they can be returned to prison for violation of the parole until they are cured.

The principle of progressive increase of punishments for repetition of the same offense exists in respect to disorderlies. The penalty is increased on the second conviction, and still more on the third, but

the character of the penalties remains the same, deterrent merely, and magistrates quite generally neglect to inquire into the antecedents of such offenders, or to pursue the requirements of this statute. Many believe more reformatory and curative treatment should accompany the deterrent measures already authorized.

Penitentiary systems.—All the prisons of this State are conducted on what is known as the congregate plan; that is, the convicts work in company in shops, take at least two of the meals in the same common dining room, and attend religious services in the same chapel. Those that are required or permitted to attend the prison school meet together in classes. But, while this is true, each prisoner has his separate cell, in which he sleeps and is confined at night, and when not at work, in the chapel, or taking exercise, or in the schoolroom. Only one prisoner is confined in the same cell. Convicts that can not work are given exercises in the yard. Incurrible convicts, of which the number is very small, are kept in their cells except when exercising. They work alone in their cells. The silent system, as understood, does not exist in the prisons, but conversation among prisoners is not allowed, except at particular times.

The discipline.—It is both deterrent and reformatory. Both rewards and punishments are employed. For good behavior the prisoner gains good time, gains in grade and in privileges, while loss of these follow infraction of rules. Corporal punishment is also inflicted sometimes for misconduct. The loss of grade and privileges is found among the most effectual means of securing obedience and promoting reformation.

Prison discipline is contemplated by our prison authorities as similar in its essential features and purposes to army discipline; the purpose in the one case being to make effective soldiers out of raw recruits, and in the other to make law-abiding, self-supporting citizens out of convicts. The first step, or one of the first, is to impart a knowledge of the right way of life; the second is to procure conformity to this right way. This the discipline attempts to accomplish by insisting on right practice till this is seasoned and fixed into a permanent habit.

The discipline is calculated on the one hand to lessen the disposition to do wrong and on the other to make the convict afraid to do so whether in prison or out of it. Reformation and deterrence go together. Convicts not at first susceptible to mere reformatory work become so when deterrent measures are resorted to, while some not influenced by reformatory measures are reduced to obedience by fear of the deterrent ones.

The discipline in the Michigan prisons differs from that found in some other prisons in this, viz, it is understood that in some prisons unnecessary and useless acts, as well as useful ones, are selected as means of discipline. A compliance with these is exacted. The com-

pliance is useless except to evince obedience. In this State the acts which the prisoner is required to do and the conduct which he is required to pursue are necessary, useful, and proper, so that the prisoner sees that what he is required to observe and do is right and useful in itself. Compliance with a requirement to do useful, proper, and necessary acts is found easier and better calculated to build up moral character than a compliance with mere useless and technical acts. The performance of acts because they are right, proper, and useful is believed to be better calculated to inculcate the virtues that underlie them, as "by doing right acts men acquire the virtues."

Toward imparting information as to duties in prison each convict is furnished with a copy of the rules. If he does not understand the English language, the rules are interpreted to him. The following section of the statutes relating to this matter applies to all the prisons:

SEC. 30. Respecting each prisoner received into either prison upon direct sentence thereto, the board shall cause to be entered from time to time in a register such facts as can be ascertained of parentage and of early social influence as seem to indicate the constitutional and acquired defects and tendencies of the prisoner, and based upon these an estimate of the character of the prisoner and the best probable plan of treatment. Upon such register shall also be entered from time to time minutes of observed improvement or deterioration of character, and notes as to methods of treatment employed, and all orders or alterations affecting the standing or situation of prisoners, and any facts of personal history which may be brought to the knowledge of the board affecting the question of transfer to another prison, of the final release of the prisoner, or his being suffered to go out on parole.

While the discipline necessarily contemplates the safety of the prison, it has for its great object the fitting of the convict for life as a member of society. It seeks to do this by enabling him to appreciate a right course of life, making him disposed to conform to and afraid to depart from it.

In this view of the case he is asked to discipline himself; somewhat in the same spirit as the pupil who would advance in his studies is advised to subject himself to a rigid discipline. Self-discipline is deemed better than enforced obedience. Hope is inspired; so is self-respect, as dispositions calculated to aid the prisoner's reformation. For example, when a prisoner is allowed out of prison on parole he does not wear clothing such as he wears in the prison, lest it should indicate that he is a prisoner and draw down upon him disparagement. This is done so that he may be received according to his conduct and see the advantage of right behavior.

If the sentence of the adult convict were indeterminate so that discharge might be in some particulars dependent on reformation after sentence, it is believed reformatory discipline would be still more productive of good results.

The lash on the bare back is prohibited by law. Corporal punishment is sometimes administered by means of a leather paddle, but any

corporal punishment in the prison is now rare. Convicts are sometimes locked in and handcuffed to the doors of the punishment cell for short times as a punishment.

To those in the first and second grades the loss of grade and the privileges incident thereto, and the fact that no deduction from the sentence called "good time" is allowed for any month in which an infraction of the rules is recorded against the convict, and the fact that no one can be paroled if an infraction is recorded against him within the preceding year, are, when the rules are strictly adhered to and enforced by the officials, important means for procuring good behavior.

A low diet is also employed in some cases as a punishment alone or in connection with other measures. Where tobacco is allowed (and it is allowed to some prisoners) the denial of this for a time likewise serves for correction. The taking away of the cell light (one is allowed in the cell ordinarily in the evening) for a time is also sometimes a punishment.

Moral and religious influence.—In the principal prisons the chaplain devotes his entire time to the instructing of the inmates in religion and morals. Besides the services of the chaplain and teacher, a library is maintained by each prison for the use of the prisoners. Lectures are also delivered to the inmates at times. Voluntary visitors are seldom admitted to try to improve the morals of the convicts, the administration being of opinion that the experienced chaplain can be of more service than the volunteer. But if a convict desires to see a priest or minister of a particular denomination, his request is granted when it can consistently be done. Every convict is supplied with a Bible and prayer book.

Instruction.—The degree of illiteracy among prisoners in this State is shown proportionately by examining the situation in the prisons. There were received in these institutions during the two years ending June 30, 1898, 1,310 convicts. Of these 1,070 could read, write, and cipher; 1,158 could read and write; 1,184 could read only, and the remaining 136 were wholly illiterate.

All the prisons maintain schools for the education of the convicts, and valuable results are realized from work in this direction. Many wholly unable to read when they came to the institution have acquired the common school education. The library provided for the use of convicts in the State prison alone contains over 3,000 volumes. It is well patronized by the convicts.

The moral standing of convicts when received and the effects of imprisonment are shown approximately by these facts. Of the 525 convicts received at the State prison during the two years ending June 30, 1898, 394 were undergoing their first conviction, 108 their second, 16 their third, and 7 their fourth or subsequent conviction.

Approximately, a fourth of the serious crimes had, during the two years, been committed by the small number who had been once or more times in prison before. The proportion of repetitions was less than it had been the two years ending June 30, 1896. Fifty one of these convicts were convicted of crimes involving life, 80 for crimes involving virtue, and 394 of crimes involving property. (See Appendix A.)

Classification of convicts.—The inmates of all the institutions are graded and classified into three grades, according to their moral character and conduct in the prison, and a record is made of the conduct of each prisoner.

On being received into the prison the convict is placed in the middle or second grade. If he is guilty of misconduct of a serious nature he is reduced to the third grade, but not till he has had his opportunity to evince character. On the other hand, as soon as he has served one-fourth of his term, if his record for the six months preceding be free and no ground exist against him, he is promoted to the highest grade. He is thus degraded or advanced from one grade to another according to his conduct.

The prisoner's privileges are according to his grade. Those in the third grade wear striped clothing—but only those. The other grades have their appropriate clothing. Of 852 convicts in the State prison July 1, 1898, 704 were in the first grade, 98 in the second, and 14 in the third.

Good time.—Prisoners under first conviction may, by good conduct—that is, avoidance of infraction of the rules—shorten their sentences. For each month during which there is no infraction of the rules they receive credit as follows:

During the first and second years, 5 days for each month; during the third and fourth years, 6 days; fifth and sixth years, 7 days; seventh, eighth, and ninth years, 9 days; tenth, eleventh, twelfth, thirteenth, and fourteenth years, 10 days; fifteenth, sixteenth, seventeenth, eighteenth, and nineteenth years, 12 days; from and including the twentieth year, 15 days.

A convict serving a second sentence in the prison is allowed for the several periods in order named above 2, 3, 4, 5, 6, 7, and 8 days as good time and no more; and if any convict has already served a second term in prison he shall be allowed no good time.

The board may, by general rule, prescribe how much of the good time earned under the foregoing provisions a convict shall forfeit for infraction of the rules in any month and for any serious act of insubordination, attempt to escape or escape, the board may, by special order, take away any portion or the whole of the good time made by any convict up to the date of such offense. On recommendation of the warden, the board may, as a reward for specially meritorious conduct, such as aiding officials in cases of insubordination or attempts at

escape, restore to any convict the whole or any portion of the good time lost because of any minor infraction of the rules.

One of the ordinary penalties for the infraction of the rules is the forfeiture of good time previously earned or the failure to allow good time for the month in which the infraction occurs.

The paroling of prisoners.—Convicts serving sentences other than a sentence for life may be paroled by the governor in certain cases and on certain conditions. They may thus be allowed to spend a part of the sentence outside of the prison, but always until the end of their term under surveillance and certain stringent conditions. No convict can be paroled if he has previously served two terms of imprisonment for felony. Nor can anyone be paroled till he has served half of his sentence.

Besides these provisions which are contained in the law, the rules require that the convict shall have been in the first grade at least six months continuously before the time he is recommended for parole and that his conduct in prison has been such as to satisfy the board and warden that he is a reformed man and that, if allowed on parole, he will observe the laws and conduct himself properly. Before he can be allowed on parole employment must be found for him and some proper person must be found who will undertake in writing to look after him and report his behavior, as often as once a month, to the warden of the prison. Those on parole are subject to be returned to prison whenever the governor for any cause, such as unsuitable surroundings, misconduct, etc., deems it best they should be back in the prison; and they are uniformly taken back into the prison for any violation of the rules governing the conduct of prisoners on parole.

Briefly stated, two conditions are required to exist in order to justify the paroling of adult convicts: First, the convict must have earned his parole by good conduct and reformation. Second, it must appear to the warden and boards of control that the circumstances which will surround him on parole will be more conducive to his permanent reclamation and rehabilitation than spending the same time in the prison. The convict is not paroled as a matter of clemency, but as a judicious treatment, with a view to promote and test his reform and to establish him in some work or occupation while the prison authorities still have control over him. (See Appendix B.) During the two years ending June 30, 1898, 146 prisoners were paroled from the three prisons, viz, 53 from the State Prison, 28 from the Marquette Prison, and 65 from the State House of Correction.

Pardoning power.—The executive has, under the constitution and laws of the State, the power to pardon convicts, except for treason and in cases of impeachment. The pardon may be upon conditions. (Constitution of Michigan, art. 5, sec. 11; Howell's Statutes, sec. 9628-9632.)

The investigation of applications for pardon are made by a board of five members created for this purpose, denominated the advisory board of pardons. While the power to pardon without the recommendation of the pardon board is possessed by the governor, it is seldom exercised save on the recommendation of this board.

Work.—Sentences to the prisons for crime always include "hard labor." This does not exist in the sentence to the Industrial School for Boys or to the Industrial Home for Girls, but in both of these institutions labor is pursued. In the prisons labor is enforced as an incident to all penitentiary imprisonments, both as a punishment and for discipline and reformation. The labor is productive; that is, not merely penal, but profitable, and the income from it inures to the benefit of the State, and goes toward the support of the prison.

Merely penal labor, that is, toil with no regard to production, is not pursued in the prisons of this State. Labor that is productive is preferred as better calculated to build up the character of the convict, as he has the feeling that he is producing something of value. It may be just as deterrent as mere penal toil. It makes the prisoner contribute to his own support and saves taxation. The law itself provides that prisoners shall be employed at productive labor, and the warden is required to "use every proper means to furnish employment to prisoners most beneficial to the State and best suited to their several capacities."

Labor in the prison is carried on upon the State account, as well as under the contract system, as is found best for the interest of the State. Prisoners are not assigned to contracts if they can be better employed on State account. There is no difference in the treatment of the convict when employed on contract than when employed on State account. He is never placed under the dominion of the contractor, but remains under the control of the prison keeper the same in the one case as in the other, and enjoys precisely the same opportunities for training, schooling, and in all other respects.

The contract system, where it exists in this State, is the limited one. The results are best for the State in general in the industries carried on upon the contract system. This is due largely to the fact that under the contract system the business enjoys more permanent management by more skillful and experienced foremen and managers, who are appointed for their skill and retained for their successes.

Under present conditions I regard the contract system as best in most lines of work, and under existing conditions it yields the better results. The earnings of the Michigan State prison have some years paid all expenses, including the salaries of officers and employees. For the two years ending June 30, 1898, the deficiency, or the expense above earnings, was on an average \$10,229.87 per year, which is \$12.23 per year for each convict.

As to the question "What system of work do you prefer, and what is the reason for your preference?" I understand this question as relating specially to the two systems most common, namely, the *State account system*, in which prison industries are carried on by the State as proprietor, where the State owns the shops, furnishes the machinery, supplies the working capital, buys the raw materials, pays the superintendents, sells the products as a private corporation does, and the other the *contract system*, where the convicts are hired by contractors, who pay the State a given price per day for their labor, the contractors furnishing the machinery, the working capital, the materials and superintendents, carrying on manufacturing with convicts for operatives, and selling the products.

The lease system does not exist in this State, and the "piece-price" system is only a form of the State account system, so these may be left out of the account.

The fact that under the contract system the contractor furnishes the machinery, the raw materials, and working capital, furnishes and pays the superintendents, and is at an expense of selling the products renders the contract system an advantage to the State in many cases, as the State thereby avoids these expenses and escapes the risks and losses of trade. Government is not so well constituted to look after these things, as affairs now are, as private parties.

The greatest obstacle to the carrying on of industries on State account in prisons is, however, the practical difficulty of obtaining and retaining managers of experience and training in all the different kinds of manufacturing carried on. In this age of competition none of these manufacturing enterprises succeed, in prison or out of it, unless they are in continuous charge of skilled, able, and experienced managers.

A more certain mode of securing skilled and successful management of these prison industries is to let convicts to contractors who have the skill and experience requisite to succeed. In this way each industry comes under the control of a skilled manager. If all the convicts should be employed on a single large industry superintendents would be fewer, but diversification is desirable. Experience is invaluable in business. It is important that no changes be made save to improve. Successful management must be steady as well as intelligent. As conditions now are the prison's management of business on State account is liable to more changes than manufacturing by contractors.

The statistics relating to convict labor, published by the Department of Labor of the United States, furnish very decisive evidence of the superiority of the contract system in a financial point of view.

Two questions arise: First, is the contract system necessarily less favorable to prison discipline and reform? It may be so in some cases; and, on the other hand, it may be so administered as to be just as well in these respects as any other system of work. It is so in Michigan.

Convicts who work on contracts are subject to the same treatment as others—work the same hours, always under prison keepers, and have the same advantages. So, if in any prison the conditions under this system are not as well, they may be made as well without abandoning the system. The limited contract system receives the unqualified approval of many of the best prison men of the world.

Second, can the disadvantages of the State-account system be overcome? Some undoubtedly can be. Progress will no doubt lessen partisan interference in prison business and render it possible to have steadier management of prison industries. If political parties were to become patriotic enough to allow the merit system to prevail in our prisons, so that officers and employees would be selected on their merits and retained administration after administration, the conditions would enable the State-account system to do better than it can now do. As conditions now are, an attempt to force the State-account system in our prisons will be followed by loss and be, as it was famed to be in another State, "a lamentable failure." No system will succeed of itself. Success is dependent on the ability of officers and employees. It will be best that the prison authorities be left at liberty to employ the convicts on contracts as well as on State account, so that the best plan can be pursued.

As rapidly as conditions render the State-account system fitter the natural result will be to crowd out more and more the contract system. Among these conditions which I regard as essential to the success of the State-account system in our prisons are the prevalence of the merit system of appointments to prison offices and the merit tenure of office. No removals save for cause, greater permanency of positions, so that the business may continue in the hands of persons of ability and experience who may not be removed except for cause, but who may be removed at any time for business reasons. In such case, as in all successful businesses, the managers will owe their appointments to their merit and fitness and depend on their attention and success for their tenure of office, and not on the favor of party.

One aspersion upon contract labor is undeserved. It is said the contract system is a kind of slavery, and that it makes the convict a kind of slave. Is it any more slavery than when the convict is made to work against his will on State account? If the one is slavery, then the other is also; and even the keeping him in prison is slavery. The convict is such by his crime, and the Constitution in prohibiting involuntary servitude expressly exempts what is imposed as a punishment for crime. The aspersion is such only, and not an argument, and it is undeserved.

One observation often made can not be accepted without scrutiny. It is said, Suppose one system be better financially, what of it? That the net cost of prison management is not to be considered I deny.

Under some prison systems the net cost—that is, expenses above savings—is ten times as great as under others, and the taxation for maintenance of prisons ten times as great per convict. Even if prison men were disposed to overlook this no comprehensive philanthropist and no statesman having in view the well-being of all the community can afford to do so. The difference between systems is in some cases as great as \$167,000 per year on a thousand convicts, and that means less comfort and more unsupplied wants on the part of honest taxpayers. If it could be shown that the one system is materially more promotive of reformation than the other, that would deserve consideration, but would not justify disregarding expense. That the one plan is naturally better for reformation than the other is denied.

In any case, the statement that in the comparison of systems the expenses of them is not to be considered is unworthy of the real philanthropist or statesman.

The competition of prison work with free labor, though often brought forward as an argument in this discussion of systems, is not actually or justly involved. Objection is made to work on State account as much as to that done under the contract system. In States where the contract system prevails it is aimed at that; where the State-account system does, it is directed against that. The objection, if it be an objection (which is denied), applies to both systems equally. It can not be avoided if convicts produce at all, either for their own consumption or others.

Nor does the making of articles to be used in other State institutions abolish competition. Free labor would supply these State institutions, as it has heretofore done, if allowed to do so. When the prisons do this, as is contemplated in the State of New York and some other States, this will deprive free labor of a market it has heretofore had. At best this only hides from superficial observers the competition that actually exists, and to hide is not to abolish. No matter how circuitous or concealed the route which prison products take from the prison to other State institutions for consumption, the actual effect on the labor of the country is the same in the end as though the prison products were placed directly on the general market and the State institutions purchased from the general market the articles desired. The proposed plan is an unnatural interference with the liberty of trade that must cause irritation to a part of the people and expense and loss to the community as a whole, besides inculcating false principles in public affairs. It also calls into use complicated machinery for pricing prison products and transferring them to the other State institutions that must add greatly to taxation.

The fact is, it is as reasonable for convicts to produce as for free men to produce, or for the same men when they become free. The convict gains no right to be supported by the State by reason of his

crime, and the State loses no right to insist he shall support himself because of it. The sense of duty to support one's self is one of which the criminal is most destitute, and one the prison discipline must undertake to impart. There is no way this can be so well done as by having him produce, just as the honest laborer does, things that do support. The effect is best when there is no waste of time or material, when his labor goes the farthest in this useful direction. Public policies must not be based on false principles. The moment we apply to the convict a different system of economics because he is in prison we go astray. When we subject to analysis the plans proposed for abolishing the competition of convict labor we find them based on false principles or expecting results not to be realized. The wiser way for the peace of society and the interest of the State is to place prison industries on the same ground as free industries, and defend that.

It is also said in opposition to the contract system that contractors do not pay as much for the labor of convicts as free laborers command. This, too, has no actual bearing on the question of systems, but if it does, the answer is easy; for first, the contractors pay as much as the State can make the convicts earn for the State when they work on State account; and, second, the State gets as much for the labor of convicts as it is worth, under existing conditions, when compared with free labor. The Government statistics show that convicts produce only one-third the value per man on an average that free workmen in the same industries produce. When the labor of convicts is let due advertisement is made, and the price is the highest bid. Low as the price is many prison contractors give up their contracts and take their manufacturing out of the prison to be carried on with free labor at the higher wages because they can do better thereby. This has often occurred in the Michigan State Prison.

The personnel of prison administration.—Political influence, it must be admitted, has at times had some influence in the appointment of prison officials. The effect of this is generally unfavorable.

There are no special schools for the training of employees in this State. While I should regard such a school as calculated to improve the service, in view of the small number to be employed, the advantage would not justify the expense in this State. In a larger territory it might. The business demands expert knowledge. There is great need that the employees be trained men in this line of work. A misfortune of the situation is that the public does not appreciate this. Trained employees are dismissed and untrained ones put in their positions without appreciating the loss this is to the service.

The food of convicts.—It is required by the law to be plain, of good quality, and sufficient in amount for sustenance. It is so. So the clothing, beds, and bedding are plain, of good quality, sufficient, and appropriate.

Sanitary condition of the prisons.—It is good. Drainage and sewerage are provided, the cell blocks well ventilated, lighted, and warmed. The water is of good quality. Cleanliness is enforced. The prisoners bathe once a week.

The theory of the prison administration is that the prisoner will be more efficient in his work, of less expense, and more reformable while in prison, and be less likely to become a public charge after release, if maintained in a state of good health; so that economy as well as humanity dictate that, while measures sufficiently deterrent be pursued, care be taken also to sustain and preserve the prisoner's capacity for self-support as far as possible.

Aid to discharged convicts.—The State has made no provision for the temporary care of discharged prisoners while they are seeking rehabilitation, except this, namely, at his discharge the prisoner receives a small amount, varying in practice from \$7.50 to \$15. This amount is always paid him. If his residence be far from the prison he is always furnished transportation to his home, if it be within the State.

There is a private institution at Detroit founded by Mrs. Agnes d'Arcambal for aiding and caring for discharged prisoners. This is quite successful.

APPENDIX A.

TABLE No. 14.—*Showing results of examinations of convicts when received, for the two years ending June 30, 1898.*

Crimes.	Num- ber.	Can not read.	Can read.	Can not write.	Can write.	Can not cipher.	Can cipher.	Illiter- ate.
Murder, first degree.....	13	1	12	1	12	6	7	1
Murder, second degree.....	3		3		3		3	
Manslaughter.....	4	1	3	1	3	1	3	1
Murderous assault.....	6	1	5	1	5	1	5	1
Assault with intent to do great bodily harm.....	23	7	16	7	16	8	15	5
Felonious assault.....	2		2		2		2	
Rape.....	32	4	28	4	28	11	21	4
Assault with intent to rape.....	12	3	9	3	9	5	7	3
Assault on a female under 14 years of age.....	1		1		1		1	
Assault on a female under 16 years of age.....	1	1		1		1		1
Taking indecent liberties with fe- male child.....	10	3	7	3	7	3	7	3
Taking indecent liberties with male child.....	1		1		1		1	
Unlawful and carnal knowledge of female child.....	4		4		4		4	
Inducing female to enter house of ill-fame.....	3	1	2	1	2	1	2	1
Sodomy.....	2		2		2		2	
Bigamy.....	7	2	5	2	5	2	5	2
Incest.....	2		2		2		2	
Adultery.....	5		5		5		5	
Keeping house of ill-fame.....	5	1	4	1	4	2	3	1
Abduction.....	1		1		1		1	
Accessory to burglary.....	2		2		2		2	
Burglary.....	75	4	71	4	71	12	63	4
Burglary and larceny.....	15	1	14	1	14	1	14	1
Attempted burglary.....	1		1		1		1	
Burglary accompanied by actual as- sault.....	1		1		1		1	
Having burglar tools in possession..	4		4		4		4	
Robbery.....	20		20		20		20	
Assault with intent to rob.....	4		4	1	3	1	3	
Embezzlement.....	6		6		6		6	

TABLE No. 14.—*Showing results of examinations of convicts, etc.*—Continued.

Crimes.	Num-ber.	Can not read.	Can read.	Can not write.	Can write.	Can not cipher.	Can cipher.	Illiterate.
Horse stealing.....	8		8		8		8	
Grand larceny.....	4		4		4		4	
Larceny.....	84	13	71	14	70	24	60	13
Larceny from the person.....	26	1	25	1	25	5	21	1
Larceny from a dwelling.....	31	3	28	3	28	3	28	3
Larceny from a store in daytime.....	12		12		12		12	
Larceny from a shop in daytime.....	2		2		2		2	
Attempting larceny from the person.....	1		1		1		1	
Entering a church in daytime to steal.....	1		1		1		1	
Entering a dwelling in daytime.....	4		4		4		4	
Breaking and entering a store in daytime.....	2		2		2		2	
Breaking and entering a store in nighttime.....	13		13		13		13	
Breaking and entering a dwelling in daytime.....	4	1	3	1	3	1	3	1
Breaking and entering a dwelling in nighttime.....	6		6		6		6	
Breaking and entering a railroad car.....	2		2		2		2	
Receiving stolen property.....	9		9		9	5	4	
Malicious destruction of property.....	1		1		1		1	
False pretense.....	5		5		5		5	
Resisting an officer.....	4		4		4		4	
Breaking out of jail.....	1		1		1		1	
Arson.....	6	1	5	1	5	1	5	1
Perjury.....	7		7		7		7	
Forgery.....	18		18		18		18	
Counterfeiting.....	1		1		1		1	
Uttering a counterfeit.....	1		1		1		1	
Uttering a forged check.....	1		1		1		1	
Uttering a forged paper.....	5		5	1	4		5	
Uttering and publishing a forged instrument.....	1		1		1	1		
Total.....	525	49	476	52	473	95	430	47

APPENDIX B.

ACT, RULES, AND REGULATIONS GOVERNING THE PAROLE OF CONVICTS OF MICHIGAN.

PAROLE LAW.

AN ACT to authorize and regulate the paroling of convicts. (Public Acts, 1895. No. 219.)

GOVERNOR TO HAVE POWER TO ISSUE A PAROLE TO CONVICT.

SECTION 1. *The people of the State of Michigan enact*, That the governor shall have authority, under such rules and regulations as he may prescribe, to issue a parole, or permit to go at large, to any convict who now is, or hereafter may be, imprisoned in any of the prisons of this State, under a sentence other than a life sentence, who may have served the minimum term provided by law for the crime for which he was convicted, and who has not previously served two terms of imprisonment in any penal institution for felony.

CONVICT SHALL REMAIN UNDER CONTROL OF GOVERNOR.

SEC. 2. Every such convict, while on parole, shall remain in the legal custody and under the control of the governor, and shall be subject at any time to be taken back within the inclosure of the prison from which he was thereby permitted to go at large, for any reason that shall be satisfactory to the governor, and at his sole discretion; and full power to retake and return any such paroled convict to the prison from which he was permitted to go at large is hereby expressly conferred upon the governor, whose written order, when duly attested by the secretary of state, shall be

a sufficient warrant, authorizing all officers named therein to return to actual custody in the prison from which he was permitted to go at large any such paroled convict, and it is hereby made the duty of all officers to execute said order the same as ordinary criminal process.

THIS ACT NOT TO BE CONSTRUED AS A RELEASE OF ANY CONVICT.

SEC. 3. This act shall not be construed to in any sense operate as a release of any convict paroled under its provisions, but simply as a permit granted to such convict to go without the inclosure of the prison; and while so at large he shall be deemed to be still serving out the sentence imposed upon him by the court, and shall be entitled to good time the same as if he were confined in prison.

This act is ordered to take immediate effect.

Approved May 28, 1895.

RULES AND REGULATIONS.

RULE 1. No prisoner will be paroled who has not been in the first grade continuously for a period of at least one year.

RULE 2. Before any convict is paroled employment must be procured for him at some legitimate industry, and some person must agree to act as his first friend and adviser. His proposed friend must be a reputable citizen of the State, whose ability to supervise the conduct of the convict while on parole shall be certified by some person of good standing known to the governor. Such first friend shall agree to employ him, aid him in securing employment, or take a friendly interest in him while engaged in an occupation or business of his own, and shall agree to report any absence from work or tendency to evil associations, and to certify to the monthly report required of the convict.

RULE 3. No prisoner will be paroled until the governor is satisfied that he will conform to the rules and regulations of the several prisons governing the conduct of paroled prisoners.

RULE 4. Every paroled prisoner shall be liable to be retaken and again confined within the inclosure of the prison from which he was paroled, for any reason that shall be satisfactory to the governor, and at his sole discretion, until he receives a copy of his final discharge through the warden.

RULE 5. Paroles will be granted only in those instances where, in the opinion of the governor, from the nature of the offense committed, the past history of the convict, the active interest promised by friends concerned in his reformation, and like considerations, the case presented seems a proper one for executive consideration.

RULE 6. The boards of control of the several prisons shall have power to make all needed rules and regulations governing the conduct of paroled prisoners.

JOHN T. RICH, *Governor*.

EXECUTIVE OFFICE, MICHIGAN,

Lansing, June 20, 1895.

GOVERNOR'S RULES.

It will be the duty of the wardens to make selections from inmates in their respective prisons whom they deem proper subjects for parole. Before recommending parole they shall ascertain as much of the character and history of each convict, previous to his conviction, as possible, and such other information as may be deemed necessary to determine the propriety of issuing a parole.

It shall also be his duty, in case any person offers to act as first friend for a convict, to submit this name to the sheriff of such county where such person resides, asking his opinion as to his being a proper person for such trust.

At each meeting of the board of control of the respective prisons it shall be the duty of the warden to report to the board the names of such convicts as he thinks entitled to a parole.

It shall be the duty of the several prison boards to take the matter in consideration, and make recommendations as in their judgment circumstances and conditions show to be proper. Such recommendation shall then be forwarded to the governor, with such information as has been obtained in regard to each prisoner, together with such recommendations as may be deemed necessary in their cases.

All applications or letters relating to parole of prisoners, from friends, shall be forwarded to the warden of the prison in which convict is confined, whether received by the governor or by any member of the board.

The employment of attorneys by prisoners will be discouraged, but communications by letters of friends, giving information, shall be received and given such consideration and weight as they are entitled to. In case information is conveyed to any warden of the disorderly conduct of any paroled prisoner when the board is not in session, he shall immediately notify the governor of such conduct and all the facts which have come to his knowledge in connection therewith.

RULE 1. No prisoner shall be eligible to parole until he has served one-half of the full term for which he was sentenced.

RULE 2. No prisoner shall be eligible to parole until he has been in the first grade one year; but this rule shall not be construed as prohibiting the parole of any prisoner who has served three-fourths of his full sentence and whose parole shall not be barred by the statute.

RULE 3. No prisoner under parole shall be permitted to leave the State of Michigan until his final discharge.

RULE 4. Paroled prisoners must provide transportation to the place of their employment.

RULE 5. No prisoner can be paroled until he has served the minimum term provided by law for the offense for which he is sentenced, and in case the statute does not provide a minimum term, the minimum shall be construed to be six months.

RULES OF THE BOARD OF CONTROL FOR GRADING PRISONERS.

RULE 1. Three grades shall be established in the several prisons of Michigan.

RULE 2. Upon arrival the prisoner shall be placed in the second grade; and, after having served one-fourth of their full sentence without any written reports against them for misbehavior, shall be eligible to promotion to the first grade by resolution of the board, provided that no prisoner shall be promoted to the first grade until he has served six months; and any inmate shall be eligible to promotion after having served one year without written reports.

RULE 3. If any written reports shall be made against any prisoner in the first or second grade, said report shall be laid before the board of control, and the board may reduce the prisoner to the grade below.

RULE 4. After being so reduced the prisoner shall remain in the lower grade until again promoted for special merit or service by resolution of the board.

RULE 5. All prisoners who have served two years or more at the date of the adoption of this rule, and whose record for one year has been clear, shall be considered first-grade men.

RULES AND REGULATIONS GOVERNING PRISONERS WHILE ON PAROLE.

RULE 1. The paroled prisoner shall proceed at once to the place of employment provided for him and there remain.

RULE 2. In case he finds it necessary to change his employment or residence he shall first obtain the written consent of the governor through the warden of the prison from which he was paroled.

RULE 3. He shall on the first day of each month, until his final release, transmit to the warden of the prison from which he was paroled, stating whether he has been constantly at work during the preceding month, and if not, why not; how much he has earned, and how much he has expended; together with a general statement as to his surroundings and prospects; which report must be indorsed by his employer or some other suitable citizen designated by the governor.

RULE 4. He shall in all respects conduct himself honestly, avoid evil associations, and in general, pursue the course of a law-abiding citizen.

RULE 5. As soon as possible after reaching his destination he shall report to his employer, showing him his parole, and at once enter upon the employment provided for him.

RULE 6. He shall, while on parole, remain in the legal custody and under the control of the governor of the State.

RULE 7. He shall be liable to be retaken and again confined within the inclosure of the prison from which he was paroled, for any reason or reasons that shall be satisfactory to the governor, and at his sole discretion, until he receives a copy of his final discharge through the warden.

RULE 8. A convict on parole will receive the benefit of good time, and suffer the same forfeitures under the statute as if he were within the prison inclosure.

RULE 9. If he fails to report to the warden on the first of each month, or is guilty of doing any acts prohibited by the prison rules, he will be subject to forfeitures.

RULE 10. If he fails to return to the prison inclosure when required by the governor so to do, or if he makes escape while on parole, he will be treated in all respects as if he had escaped from the prison inclosure.

The authorities of the prison take a lively interest in all paroled prisoners, and no paroled prisoner need fear or hesitate to freely communicate with the warden of the prison from which he was paroled, in case he becomes unable to labor by reason of sickness or otherwise.

Adopted August 6, 1895.

PRISON SYSTEM OF MONTANA.

By FRANK CONLEY,

Contractor of Montana State Penitentiary.

1. The congregate system is used entirely in Montana, the number confined being about 656.

2. The prison is under the control of a board of prison commissioners; consisting of the governor, attorney-general, and secretary of state. The care and keep of the prison is in charge of contractors, who for a specified sum per capita per day contract to care for, keep, and clothe all prisoners received at the prison.

3. The special object of discipline is to punish. Under the congregate system it is almost impossible to reach individual cases for reformation. Under the congregate system the punishments are preferred as a means of discipline. There are no rewards offered. The general mode of punishment is solitary confinement on bread and water for a time, according to the enormity of the offense committed.

4. There is no regularly appointed chaplain, but the moral and religious part of the prisoners' education is taken care of by the associated religious institutions of the city where the prison is located. There are services held once a week, usually on Sunday afternoon, which are conducted by some minister regularly appointed by the association. Other services may be had during the week if they desire to hold them. Voluntary visitors are also admitted who have in view the elevating of the prisoners' morals. The results of these meetings seem to be satisfactory, quite a number becoming converted.

5. About 98 per cent of the prisoners received here can read and write; about 60 per cent have a common-school education; 30 per cent only a smattering, and about 8 per cent a higher education.

There is a regularly conducted school in the prison, where the common branches are taught. The prisoners are not compelled to attend, but may use their own discretion. It is found, however, that a great portion of the prisoners desire to improve their mental condition and are anxious to attend the school. There have been some flattering results from the school, and a number of the prisoners leave the prison

with a better view of life and are determined to elevate themselves, having received this inspiration from attending the prison school.

There is also a well-conducted circulating library within the prison to which the prisoners have free access. Voluntary contributions are frequently received. The prisoners are allowed to subscribe for and receive the daily papers and periodicals.

6. According to the laws of our State the labor of the prisoners is not allowed to compete with free labor in any way, hence we have no work for the prisoners to perform except the regular prison work.

7. There is no political influence in selecting the contractors, the contract being let to the lowest bidder, who furnish a good and sufficient bond for the faithful performance of their duties. The selection of employees is left entirely to the contractors and no special qualifications are necessary.

8. The sanitary condition of the prison is of the very best. Ventilation is good, there being little or no sickness. There is a prison physician, who looks after the health of the prisoners. He is required to visit the prison at least once every day and as much oftener as necessary. All prisoners are required to bathe once a week and change their clothes.

9. The prisoners go out of prison undoubtedly better men than when they came in, there being a small proportion of recidivists, about 23 out of 177, the total number received in one year.

10. It is customary in this State to give persons on their first conviction a very short sentence, but for a person who has previously been convicted of a felony we have an "habitual criminal act," which gives the judge power in sentencing such people to sentence them to a much longer period. (See secs. 1232, 1233 of Penal Code, State of Montana.) We have no indeterminate sentence.

11. Grand larceny seems to be the most frequent crime in this State and is caused principally by intemperance.

12. We have no societies looking after discharged convicts and have no publications treating on penal matters.

MONTANA STATE REFORM SCHOOL, MILES CITY, MONT.

By B. C. WHITE, *Director*.

The State of Montana has one reform school, with 68 inmates—57 boys and 11 girls and young women. Under the law of the State minors between the ages of 8 and 18 are committed to the State reform school for all offenses known to the law except murder in the first degree.

The system is one of progressive stages, and the inmate has to earn his or her release by good conduct, industry, and an effort to improve the moral status. The principal charge against those committed to

the institution is "incurrigibility," but this charge covers a multitude of offenses. The design of the institution is really that of an industrial institution on the open plan, but the State being new and the institution being comparatively new, the full design of the State has as yet not been carried out, in that the industrial trades have not been installed. The results thus far have been very satisfactory. But a small per cent of those released have lapsed into criminal ways. Better results could be obtained if a closer classification were possible and the older boys or young men be eliminated from the institution. The State has a farm of 100 acres, upon which the boys engage in farming and gardening successfully, and with regular routine work of the institution this comprises all of the industrial training.

PRISON SYSTEM OF NEBRASKA.

By A. E. HARVEY,

Associate Commissioner for the International Prison Commission, State of Nebraska.

It is a surprising fact that the State of Nebraska, notwithstanding the general intelligence of the body of its people and their enterprise and progressive spirit in other matters, is lamentably behind the other States of the Union in the administration of its prisons. As far as legislation is concerned, looking to the general welfare and reformation of the criminal population, the State has little to boast of over the medieval times. There has been no legislation to secure any beneficent results such as have flowed from the admirable experiments made in other States and countries. In Nebraska everything depends upon the personnel of the prison officials. If the officials are enlightened and philanthropic, then the management of the Nebraska prisons, under their control, is wholesome and beneficent. If, on the contrary, in the vicissitudes of political rotation the management comes into the hands of ignorant, inefficient, and puerile men our penitentiary becomes a thing of horror.

We have no system in Nebraska, neither the solitary system, the system of progressive classification, nor the congregate system. There is one penitentiary, at Lincoln, and three reform schools: The Nebraska Industrial School for Boys, at Kearney; the Nebraska Industrial School for Girls, at Geneva, and the Nebraska Industrial Home for Women, at Milford. At the penitentiary a space of about 5 acres is fenced in with a high wall surmounted by guardhouses, and in the interior there is an old-fashioned three-story cell house, space contracted and ventilation inadequate under the most careful regulation. Inside of the inclosure are several buildings used for various industries—cooperage, shoemaking, broom making. There is a little stone house in the center of the inclosure, used for a hospital.

The average number of inmates of the Nebraska Penitentiary for the last eight years has been 319.

All prisons in Nebraska are under one central authority—the governor of the State. He makes appointments and removes appointees at will. The result, of course, as a rule is bad, and only bad. It is proper

to say, however, that under the management of George W. Leidigh, the warden of the penitentiary, there have been the very best conditions prevailing that are possible under the circumstances. This man appears to have a genius for the management of prisoners. He is enlightened, firm, but kind in his administration. The trouble is that when the term of the present warden expires some incapable, ignorant political striker may be appointed in his place, and the old, cruel, and utterly barbarous methods may be reinstated.

It is asked, "What is the special object of the discipline—to intimidate or to reform the prisoner?" Under the theory of the Nebraska law the only object of the discipline is to intimidate. The law of Nebraska makes no provision for reformation, and no effort to develop hope in the prisoner, with the following exception: We have a law providing that prisoners may be paroled by the governor after they have served the minimum length of time which by law they might have been sentenced to for the offense committed. If, for instance, the sentence for the crime charged is by law fixed at from one to ten years, and the prisoner is sentenced for five years, under the parole law he must serve one year. After that, if his behavior has been good, he may be paroled; not, however, until some responsible citizen of the State shall vouch for his good behavior. He must return to the prison when his return shall be demanded. Under the parole system the prisoner is required to report to the warden every fortnight. The warden informs me that the result of this system is most excellent.

The only other reward to prisoners is that of good time. During good behavior a prisoner is allowed two months good time each year in the first two years, and three months for the third year, and four months for fourth year, and thereafter during his term the like diminutions for each succeeding year, which materially shortens the time of his incarceration. It is within the power of the warden to take away the good time which has been allowed to a prisoner, for good cause, and to restore the time thus taken away, in his discretion. The warden informs me that the prospect of losing the credit for good time is a greater deterrent to the commission of insubordinate acts by the prisoners than physical punishment would be. Under the present management physical punishment is rarely resorted to, and only in the most extreme cases. There are two dark cells in the penitentiary, incarceration in which is permitted by the rules of the institution; but it has been found that confinement in these dark, damp cells is likely to bring upon the prisoner rheumatism and other diseases, and the use of them has been largely discontinued.

No means of moral influence upon the prisoners are employed by the law except such means as reside in the perfunctory services of a chaplain, but voluntary visitors are freely admitted to the penitentiary for the purpose of teaching, which, when the warden is so inclined, like the present

incumbent, exercises a good influence. Citizens of Lincoln have for many years conducted Sunday school and Bible classes every Sunday in the penitentiary, and the results have been excellent. There is a good library in the institution for the use of the prisoners. Each prisoner is furnished with two candles per week, and their facilities for reading and study are good under the present management.

There is no distinction between penal and industrial work. Prior to 1895 the work of the prisoners had been almost exclusively given to contractors. In the year 1895 the legislature made an appropriation to purchase the plant of the contractors. Since that time the State has managed the work of the prisoners, but has let out sub-contracts under the immediate supervision of the warden. Under the old system the net cost of sustaining the prison, over and above the money derived from the sale of products of the prison, was about \$45,000 per year. Since the change the average net cost has been about \$20,000 per year, while for the year 1898 the net cost was only \$8,000. It is expected that the Nebraska Penitentiary will be self-supporting in the future.

Together with all the friends of reform in this State, I prefer that the work in the prison should be directed by the administration itself. When the prisoners are let out at contract, the only object of the contractor is to make the most money possible out of their work. He is not likely to have any regard for their welfare, improvement, or reformation, and he is necessarily permitted to place over the men his own overseers, who are imbued with the same selfish purpose as the contractor. When the work of the prisoners is in the care and under the direction of the administration itself, the welfare of the prisoner will be the leading motive and the question of finance a secondary object. The result to the prisoner must, of necessity, be better.

The prison employees are chosen by the governor, usually for a term of two years. Political influence governs exclusively. When there is a Republican governor the officers and employees of the penitentiary are chosen from the ranks of the Republican party. When the Democrats or Populists are in control, the officers and employees are all Democrats or Populists. No special qualifications are required of employees. There are no schools to prepare prison employees for their duties. It is a question of chance. If the governor happens to appoint a capable warden, the management is good; if an incapable one, of course the management is bad.

Under the present management the dietary is good, the ventilation the best possible under the conditions prevailing. The prisoners are well and cleanly dressed. Cleanliness is enforced, and the inmates are required to bathe regularly. The percentage of sickness and mortality is small at present, and has been for several years.

In the absence of any systematic attempt in the contemplation of the

law of Nebraska for the reformation of prisoners, it is difficult to say whether they are better or worse when they leave the prison than when they enter it. I would say that, owing to the excellent conditions that exist at the present time, the majority of the prisoners who leave the prison are better. This can be accounted for solely by the fact that under the present administration there is a great effort made to personally influence the prisoners in the right direction. There have been times in the history of Nebraska, under the same laws and the same conditions generally that now prevail, when the prisoners left the penitentiary more hardened and desperate than when they came in. If there is any amelioration in the moral condition of the men who go out, it is due to the efforts of individuals, and no credit can be given to the laws of the State. The proportion of recidivists is small.

As to sentences, the usage in this State is bad. We have about forty district judges in Nebraska, who have the power to try and sentence persons charged with the commission of crime. One of these judges will sentence a man convicted of stealing \$40 to a term of one year in the penitentiary. Another judge, in an adjoining district, may sentence a man to a term of ten years for the same offense. There are prisoners serving sentences in the Nebraska Penitentiary of a number of years, who should only have been sent to the reform school. Great injustice and hardship is constantly resulting from this lack of judgment upon the part of the judges. A reform in this respect is much needed, but it is difficult to say how it can ever be obtained. The method of simple admonition, probation, conditional sentence for first offense, cumulative and indeterminate sentences, has never been introduced in Nebraska, I regret to say.

I am informed by the warden of the penitentiary that the most frequent crime committed in Nebraska is that of larceny. He also informs me that liquor is the chief cause of crime in this State. He says that 75 per cent of the crimes committed by the inmates of the prison have been committed by men under the influence of liquor.

I consider the reform schools for juvenile offenders in Nebraska as excellently managed, with the most encouraging results, when we have a judge upon the bench with discretion and wisdom who will sentence boys and girls to the reform schools rather than the penitentiary, although the crime committed be one the penalty of which is imprisonment in the penitentiary. Our statutes provide that children under 18 years of age who commit crimes which might be punished by a sentence to the penitentiary may, in the discretion of the judge, be committed to the reform school. These schools have been the means of saving many a boy from a life of hardened crime, and many a girl to a life of usefulness. The average number of inmates in the Industrial School for Boys from 1892 to 1898, inclu-

sive, has been 204; the average cost of support has been \$42,000 per year. The average number of inmates in the Industrial School for Girls during the same time has been 58; the average cost of support, \$15,000 per year. The average number of inmates at the Industrial Home for Women during the same period has been 76, and the average cost of support, \$11,000 per year.

There is no organized society now existing having for its object the care of discharged convicts. This is a most unfortunate fact. Men just discharged from the prison are in a condition to be easily influenced for either good or bad, and the State owes it to itself and to the cause of humanity to establish a society of this kind. What discharged convicts need is an effort to restore their self-respect and to convince them that they have still a career of usefulness and honor before them. A helping hand should be held out to them as they step out of the prison, to assist them in obtaining employment in favorable surroundings, where their past life will not be a stumbling-block in their future progress. As a matter of selfish economy, it would pay the State of Nebraska to expend thousands of dollars every year in an effort to restore these men to society as useful and industrious citizens, thus saving the expense of their prosecution, trial, and conviction to the penitentiary again for the commission of a crime which might not have been committed had they been assisted, upon their first emergence from the prison, to a respectable situation in life. A few kindly disposed men and women are of course always doing in an intermittent way what they can for the discharged convicts, but the effort is in no wise in proportion to the need, and scores of men who are discharged from the penitentiary soon fall into their old evil ways through the lack of encouragement and assistance at the outset.

PRISON SYSTEM OF NORTH CAROLINA.

By C. B. DENSON.

Secretary of the Board of Public Charities, Raleigh, N. C.

The treatment of criminals and persons arrested for disorderly conduct of any character in this State can hardly be said to be fixed in absolute system, on account of the great variation of customs in the larger towns and the country districts.

Persons arrested for offenses in the agricultural districts, which comprise the greater part of the State, are tried before a justice of the peace, who may acquit, or, if he find probable cause, may commit to the county prison and admit to bail if the offense is not capital, the amount of bail depending upon the gravity of the case, means of the offender, and circumstances affecting the procedure.

Most persons obtain bail and appear for trial at the superior court of the county in which the prosecution occurred. It is often the case that bail is given for the sake of humanity when the term before court is long, and rearrest, upon surrender of bail, occurs a few days before trial. The frequency of the courts depends upon the population of the county and demand for judicial proceedings. It may be twice, three times, or four times annually. For the relief of certain sections there is also an eastern and a western criminal court for the trial of criminal cases only; and in special cases, for needed jail delivery, the governor orders a special term of court in any county so needing, and assigns a judge to hold said court, the custom ordinarily being for a judge to proceed from one county to another throughout his judicial district, of which there are twelve in the ninety-six counties of the State, the usual course being to hold a spring and a fall term in each.

The place of incarceration is the prison situated at the county seat near the court-house, and is in charge of the sheriff of the county, who may directly control the jail and live at the same, or may place it in charge of a deputy sheriff or jailer.

In all towns of any size, usually with a population of five hundred and upward, a municipal station house or lockup is provided, in which disorderly persons or other offenders are placed, ordinarily for not longer than twenty-four hours, the mayor of the town, acting as a

police magistrate, hearing cases daily. Counsel may appear on both sides. The result is usually acquittal or sentence to work the streets with a street chain gang or the roads of the county for a limited time, usually thirty days. The accused, in many cases, may pay a fine in lieu of same, or he may appeal to the superior court, and in that case gives bail or is removed to the county prison. Sometimes several towns, with full municipal authority, are found in the same county. Certain offenses, by their gravity, are beyond the jurisdiction of the justice of the peace or the mayor in either case, and the accused goes directly to the superior court, after probable cause is shown before committing magistrate.

At the superior court term those prisoners condemned to punishment for offenses involving ten years or more imprisonment are sent to the State penitentiary at Raleigh; but if the penalty be death, they return to the county prison until the date of execution, which is inflicted usually within the prison limits and by hanging, but under special circumstances, if so directed by the board of commissioners of the county, the execution may be in public.

Imprisonment for a limited term of years is enforced by the transfer to the county workhouse, which is often at or near the county home for the aged and infirm, the place of public care of the indigent and helpless. The convicts of the workhouse are employed in repairing the county roads, building bridges, and the like.

The custom is to live in tents during the pleasant season of the year, on the roadside or near some farmhouse where wood and water are convenient. In other cases it is customary to build stockades and erect huts within, to which the men are marched at night from the point of operations. Certain districts in the State have, by local township taxation, provided expert management and modern machinery for rock crushing; and, thus supplementing the convict labor, are gradually building substantial macadamized roads, to the great benefit of the country.

As the whole system of road working with such labor has not been in use many years, the management and control of the workhouses and convict parties forms the weakest part of the penal system. It lacks the management of trained penologists, and for the very low salaries which can be afforded for years to come must depend upon the evolution of the fittest men along that line of work. It follows that discipline is very variable, while in some counties the hours of labor and general restrictions are possibly even more rigid than in the State penitentiary. In others they have reached such a degree of laxity, it is said, that certain trusted convicts have been permitted on simple parole to leave the working party on Saturday night, visit their families, and report for duty on Monday morning, after the manner of simple military service.

It should be noted that an appeal lies from the superior court to the State supreme court at Raleigh, the capital of the State, which may be obtained on payment of a small sum; and in case of life and death the appeal is allowed to the prisoner as a matter of course, and without charge if he is without means to pay the same.

It is rarely the case that execution occurs without the rehearing of all points of law involved and careful consideration of the conduct of the case in the court below. Murder in the first degree (with express malice), rape, arson (of an inhabited dwelling), burglary in the nighttime of an inhabited dwelling, and incest are punishable by death. But tenderness of human life is characteristic of our juries.

In case the number of convicts in any county be too small to justify the employment of guards and maintenance of the road system therein, it may place the same with those of a neighboring county, paying proportionate charges. But there are many counties which prefer to continue the ancient mode of imprisonment in the county jail. This is a lamentable system of support in absolute idleness at the public expense, and to a certain class of offenders has few terrors. They are also schools of crime; for the young, who are frequently incarcerated with old offenders, come out more degraded and less hopeful subjects for good citizenship than when sentenced.

This fact is recognized by many citizens, and the board of public charities has earnestly agitated the proposition of the establishment of a State reform school. It has been favorably received, and passed one branch of the general assembly in 1897, was favorably reported in the other, but failed of consideration before adjournment, the constitution limiting legislative life to sixty days.

The county prisons are variously constructed; some are fireproof buildings of brick or stone and iron; some are rude wooden structures without protection from fire. Within a few years past, and especially since the introduction of regular volunteer inspection and report by benevolent citizens (men and women who are appointed by the board of public charities and serve without compensation), public interest has been gradually aroused, and a change for the better is setting in. There are counties with buildings which have the latest modern improvements, and the prisoners are cared for with the humanity which is characteristic of our law, providing, as it does, for "the security, health, and comfort of the prisoner." The greatest fault is in the failure to supply employment in county jails. Perhaps the want of adequate bathing facilities in some cases may be justly animadverted upon.

But it should be remembered that a very large population of a peculiar character are almost the only occupants of many jails, and the standard of comfort has doubtless been insensibly graded to the needs and preferences of the class formerly held in slavery, whose

children, especially, growing up without the former restraints, and knowing little of parental authority or family discipline, furnish a different and much more difficult problem in the maintenance of social order than can be conceived by those who do not suffer therefrom.

It may be confidently asserted that the improvement of the county prisons is progressing, and the future is hopeful. Religious instruction is more general therein than ever before, and the introduction of Bibles and good literature, the banishment, except in a very few cases, of the opportunity to use ardent spirits, the visits of members of the Young Men's Christian Association, the Woman's Christian Temperance Union, and the Circles of King's Daughters have all tended to greatly strengthen the influence of the systematic inspection of the visitors of charities and elevate the standard of management.

STATE PENITENTIARY.

The State penitentiary, which is the center of the penal institutions, is at Raleigh, and is a very extensive modern structure, built at a cost of about \$2,000,000, of massive brick, surrounded by a lofty wall of granite, constructed from material quarried within the inclosure. Owing to its location upon a hill, the wall is at one point 60 feet in height. It has heat, light, water supply, cooking and laundry facilities of the best modern type. Here capital cases and those broken down and sent for treatment from the camps to the general hospital are kept, the number being usually about 150, some 1,000 to 1,200, others being distributed in the various penitentiary camps.

CAMP OR FARM SYSTEM.

The camp or farm system is regarded by many as the best solution of the question of the disposition of criminals. It is not what is known as the lease system. The convicts are not farmed out to others. They are on large farms, and under control of officers and guards of the State service. Here they are employed in raising staple crops—cotton, corn, wheat, oats, pease, etc., and in raising stock.

It is claimed by the friends of this method of management that the convicts are much healthier, with this open-air labor, and it is true that the mortality has largely decreased since their confinement in the central building or employment in railroad building. It is said that they are much more contented, because the labor is more varied and congenial and what the majority are more or less accustomed to. As a proof of that, it is a fact that of 1,145 convicts reported in the biennial report, 1895-96, of the whole number, 1,110 are reported as laborers, and only 35 had any trade or profession or had engaged in mercantile life.

It is also contended that the experience in good farming thus obtained,

and regular agricultural industrial habits fit them more readily for self-support after discharge, as their labor is of the kind most in demand—field work.

It is furthermore pointed out that the evil of flooding the home market with penitentiary made goods, to the injury of mechanics and merchants, is avoided.

The additional argument is that the supplies are used for the support of the institution, except in a few items, as cotton, which is sold in a foreign market and can not affect prices. About \$100,000 is annually saved to the people, a matter of consideration where the staple product, cotton, has been produced for some years, and marketed for less than the cost of production.

It was necessary to slowly raise the standard of fertility, to perfect organization, to conduct costly works for drainage and protection from floods, and acquire tools, implements, stock, etc. The official report for 1896 said that the point of self-support for the year had been reached; but certain farms are subject some years to disastrous floods (the rivers overflow their banks), and some uncertainty will always attend their operation. From direct replies to inquiries of the superintendent in behalf of this report the following statements are made:

On the 1st of January, 1897, there were 1,145 convicts enrolled in the State Penitentiary. Of these there had been received during the year, 453; recaptured, 15; died, 19; discharged, 400; remaining at the end of the year, white males, 238; white females, 4; total, 242; colored males, 825; females, 47; total, 872; Indian, 1; grand total, 1,115. Of these the number of minors, 16 and under, was, whites, 13; colored, 55; total, 68. It should be noted that a few are employed on some railroad work, but strictly in charge of the State officers and guards who are in control always. Each farm has a supervisor and a physician, with a number of guards at each. The farms are as follows: Caledonia Farms, Nos. 1 and 2, at Tillery, and at Halifax Farm, Weldon. Number of convicts, 448. The first has 24 guards and the other employees, and the second has 23. Northampton Farm has 22 guards and 202 convicts. Halifax Farm has 13 guards and 145 convicts. Castle Haynes Farm has 51 convicts. These are engaged in mining phosphate, from practically surface beds. Anson Farm has 18 guards and 104 convicts. There are small parties on the Carthage Railroad, near Carthage, and Elrod Railroad, near Wilmington; the remainder in the Central Penitentiary.

It is creditable to the Board of Directors to state that they have directed that the youthful convicts of tender age be separated at all farms from the old and hardened offenders, and placed together on the Anson Farm, with a view to place them in charge of attendants competent to instruct them, and give them such mechanical and industrial

training in connection with the daily labor required for punishment and discipline that they may be assisted to complete reformation of life and character. This, it is hoped, will be a stepping-stone to a complete institution for juvenile reclamation.

In reference to the system of rewards and punishments, the usual commutation of time customary in this country is given, and made dependent upon good deportment, with small cash payments, available when the convict leaves. Confinement in dark cells, restriction to bread and water diet within limits, and sometimes corporal punishment by whipping, are used.

The constitution forbids corporal punishment for crime, and the question whether it can be indirectly used for police control within such institutions has never been fairly adjudicated. It is known that it has been resorted to, and probably too frequently. Protest against it in the case of women was earnestly made, and it has been abandoned. A case of extreme punishment of the kind by an unauthorized guard was promptly met by prosecution before a Supreme Court judge, but the offending guard fled from justice during the past year.

There are those, however, who sympathize with the movement in England, and in other sections of the United States, for the restoration of whipping as a suitable punishment for offenses in which cruelty is a prominent element, as wife beating, torture of children, or others; in burglary or highway robbery, accompanied with cruel assault. Frequent efforts have been made in this direction, but the general sense of the community is opposed to it.

Moral instruction is given by a regular Sunday School maintained for twenty-five years past by voluntary Christian effort of private citizens of Raleigh.

There is also a service held in turn by ministers of different churches on Sunday. Visitors from charitable societies are regularly admitted, visits by the ladies of certain organizations being made with frequency and regularity. Other visitors are also admitted. A library is now available for the use of prisoners.

No distinction is made between convicts. No labor is absolutely hired to contractors, but all is used and controlled by the administration. The work is more satisfactory, and experience shows that prisoners are better cared for when kept strictly under control of the State.

Appropriations have been annually made for many years at about \$100,000, but the gradually increasing crops of the farms and the diminishing cost of extensive ditches and drainage to be provided for the most productive farms have reduced the cost of support. The appropriation from 1883 to 1889 was \$100,000; from 1889 to 1893 it averaged \$37,500; from 1893 to 1895 the average was \$23,000. The official biennial report for 1896 stated that a balance of \$91,694.40 was

made available for support, leaving no charges on the State treasury for that year. It is unofficially affirmed that the earnings in 1897 were about \$134,000, with the probability that the sum for 1898 will exceed \$90,000. The occurrence of storms and freshets and the prevailing prices of the products will cause fluctuation in the pecuniary results from year to year. There was no regular appropriation for support made for the years 1897 and 1898.

Officers and employees are appointed by the superintendent, and said appointments approved by the board of directors. They are said to be promoted according to qualification. There is no school of instruction for them, and no civil-service system in this State. As a matter of fact, like officers generally, whether elected or appointed, political service has been considered as an element in the selection made.

The sanitary condition of the penitentiary is excellent and the hospital well managed. Increased care and protection from malarial affections have been reflected in lower mortuary records. The last biennial report, 1895-96, showed a decrease of 23 per cent—from 52 deaths in 1894 to 40 in 1895, and in 1896 to 30 only. It must be noted that many prisoners are unsound when received, from long confinement in jail and other causes.

All prisoners in the penitentiary receive three meals daily, of bacon, beef, or fish with bread and vegetables, coffee once a day. Those in hospital have milk and other articles fit for light diet. An extensive garden is kept up where the raising of vegetables is conducted on a large scale, supplying all leading sorts for summer and winter and much forage for the herd of cows for milk supply.

The buildings are well ventilated. Only one camp occupied tents in 1898, that of the men employed on the R. & C. F. R. R., near Raleigh.

The superintendent states that the number of convicts who return to the institution by subsequent conviction forms a very small per cent of the whole.

The chief offense in frequency is larceny, arising from indolence and depravity among the idle youths of both sexes and colors.

Prisoners receive \$3 for the first year, and an increasing amount with the length of sentence, upon discharge, and also an outfit of clothing.

During the year 40 escaped and 1 was killed in the attempt. All national holidays are observed and good dinners given on such occasions. Female prisoners have no special privileges; they are employed as seamstresses and in the laundry.

At present the State Penitentiary is the designated place of confinement for United States prisoners from the various Southern States. The board of public charities applied to the United States authorities, through the Department of Justice, to check the mortality among

Southern prisoners by confinement at Albany, N. Y., and Columbus, Ohio, in a climate so different from that to which they were accustomed. Being chiefly from the poorer classes of whites, for making or retailing spirits without license, or negroes, removal to the Northern prisons cut them off also from all intercourse with their friends. Of these, 129 had been received up to August 22, 1898. As they are required by the United States Government to be kept within the limits of the Central Penitentiary itself, they are employed in the brickyard, the shirt factory, and the laundry.

In reply to a request for a suggestion as to the best means of diminishing crime, the reply from the authorities was this: Make employment compulsory. The superintendent suggests that prisoners should be classified, and each grade would follow the example of the better grade above, for every prisoner has some influence over his fellows.

Replies were not received to certain inquiries. In connection with the subject of the increase of crime, so noticeable in nearly all communities in the world, it may be of interest to note the summary of criminal proceedings made by the attorney-general for the year ending June 20, 1898, at the termination of the spring series of courts. He reports 9,729 actions, of which 5,015 were against whites, 4,672 against negroes, and 42 against Indians. Of these 9,011 were against males and 718 against females. There were 6,238 convictions, 1,596 acquittals, and 1,794 cases nolle prossed.

The several crimes were reported as follows: Assault and battery, 660; abandonment, 55; abortion, 5; assault with a deadly weapon, 1,032; affray, 1,022; simple assault, 414; assault with intent to commit rape, 27; arson, 10; attempt to burn house, 1; bigamy, 19; burglary in the first degree, 18; in the second degree, 21; carrying concealed weapons, 947; cruelty to animals, 55; forgery, 53; gambling, 399; housebreaking, 24; incest, 8; larceny, 1,497; libel, 7; manslaughter, 12; murder in the first degree, 45; second degree, 24; perjury, 57; rape, 23; riot, 3; robbery, 12; slander, 43; seduction, 35.

The population is about 66 per cent white and 34 per cent negroes; the percentage of crime was, for whites, a little under 52, for negroes, a little above 48.

It is a remarkable fact, developed upon inquiry made throughout the prisons of the State, including the penitentiary, in the autumn of 1898, for a special purpose, by the Board of Public Charities, that the element of foreign-born criminals plays no part in our statistics. Upon careful inquiry, including every place of any size in the State, only one foreign-born person was found in county jails—a German, in Wilmington—and only three in the State penitentiary. The absence of any large city, and the limited number of seaports have their effect, of course.

It must be borne in mind in considering the aspects of the criminal

question in North Carolina how large a proportion arises from the ignorant and depraved class of negroes growing up without domestic control, which was formerly exerted by the master of a family, and without adequate parental training. Even when they are taught in the public schools they often receive no moral instruction worth the name, or any industrial skill or handicraft by which to obtain an honest living. Friction between these and the lower class of whites brings about the natural result. The negro is prone to larceny, and his white antagonist to violence in revenge. When all the facts are considered, and the natural difficulties considered, the records of a generation past will compare favorably with any population of similar numbers.

The whites have taxed themselves freely and have given the same per capita to the white and black for education. They have equipped the Agricultural and Mechanical College for the colored race; provided special asylums for the insane, deaf and dumb, and blind of that race; have contributed officially to an orphanage for them, and provided special normal schools for teachers of the colored schools. But the crying need is for such instruction in laborious handiwork that the young of that race may set themselves to honestly earning their daily bread. General agriculture has been depressed for years by lower and lower prices for the great staples, tobacco and cotton, the latter now being sold for less than it can possibly be produced, unless by the negro farmer and his children, living as no farmer in the Northern or Western States could endure.

The people of the South, and certainly of North Carolina, are living in a transition period, and their penal system, of necessity, is experimental. But earnest thought and sincere effort are being given to harmonize the demands of justice and of mercy, and to reach a standard of the highest humanity. It may be justly said that the general spirit is kind, hospitable, and law-abiding.

PRISON SYSTEM OF OREGON.

By JOSEPH D. LEE,

Superintendent State Penitentiary.

There is only one penitentiary in the State. It is located at the State capital and averages about 320 prisoners. Our system is the progressive classification system. It is very simple. Exemplary conduct is necessary in order to become a "trusty." Among the 320 prisoners there are usually from 50 to 80 trustees.

The prisons throughout the State are not under one central authority. The penitentiary, the county jails, and the city jails are under different and distinct managements. The superintendent of the penitentiary is appointed by the governor of the State; the sheriff of the county has control of the second, and the chief of police or town marshal of the third. Prisoners are held for trial or to serve short sentences in the jails, but do no work.

Our principal objects in discipline are to maintain good order and secure safety. We punish or intimidate the incorrigible until he is tractable. Strict discipline, strict justice, and kind treatment show to all that merit is appreciated. Reform is thereby made possible and desirable, and hope developed in the prisoner. Rewards and punishments must be used. Of course we prefer rewards.

Chapel service is held every Sunday morning by volunteer ministers, as we have no chaplain. One minister has for some time attended to procuring discreet and suitable persons for this service. A lady prison evangelist comes the last Sunday of each month. The choir consists of convicts and trustees.

Most of the prisoners can read and write, some only in their own language. We have no provision for systematic instruction. There is a fair library, and we are pretty well supplied with standard and religious literature. We furnish schoolbooks to those who desire them. We have recently fitted up a printing office, which is run by a convict. He issues a small religious paper.

Trusties do no contract labor. They work in the gardens and fields, build roads, and take care of the live stock, etc. Some few work in

other State institutions. Convict labor is contracted to a firm which has our foundry plant leased. It directs the labor, but our guards oversee the convicts. Those not used by this firm are employed in other ways. We made over a million brick this year. We find it well to contract a part of the labor and direct the balance. Each in its place seems to work well. Between a third and a half of the expense of the institution is met by the proceeds of prison labor.

Employees are chosen by the superintendent, and presumably for four years—the period of his appointment. Some employees have been here from ten to eighteen years. Political influence is felt, but must not interfere with the efficiency of the service; public safety forbids it. No schools are here for training employees. We put them to work under experienced people. Such schools, I presume, would be of advantage, especially in acquiring more readily the theoretical knowledge required.

The health of the prisoners is good and the mortality small, considering the number of wrecked and dissipated inmates. Nearly all gain in weight. The food is plain and well cooked, and the bill of fare is changed as often as economy and convenience will permit. We are watchful of sanitary conditions, and our physician is able and experienced.

Some discharged convicts are very much improved morally; others go out about as they came, while perhaps some of the younger are better educated in crime than when they were committed. Discharged prisoners usually seek some other locality. Those who have had a taste of dissipation are very apt to drift back to old practices.

Trivial cases are generally handled in the municipal courts, where the magistrate has large discretionary power to suspend sentence, parole, etc. No statutory laws exist in this State for indeterminate and cumulative sentences.

The most frequent crimes are larceny, burglary, homicide, and forgery, in the order named. Dissipation, depravity, and a desire to get money without work seem to be their chief causes.

The State has one reform school for juvenile offenders under the age of 17 years. The results are generally good. The average number of inmates in the school, 100; out on parole, 278.

No societies have been organized to aid discharged convicts. Some charitably disposed persons extend aid. The city board of charities of the city of Portland helps to a limited extent—gives meals and aids in getting employment. Some very good results follow. The State pays each convict discharged a small amount.

PRISON SYSTEM OF PENNSYLVANIA.

By ISAAC J. WISTAR,

Associate Commissioner for the International Prison Commission, State of Pennsylvania.

There are two convict penitentiaries in Pennsylvania, besides one reformatory for supposed reclaimable convicts under 25 years of age. The Eastern Penitentiary usually contains about 1,450 convicts and the Western Penitentiary about 1,150, both tending to increase. The system of the Eastern Penitentiary is that of separate but not solitary confinement, from which last it is carefully distinguished. That of the western institution is congregate confinement, with an effort at discriminative classification.

There is as yet no central prison organization of this Commonwealth, although, in view of the penological as well as the economic advantages that it seems to offer, there have been efforts to obtain one, which it is hoped may ultimately prove successful. At present each State penitentiary is controlled by a separate board of five inspectors appointed by the governor, and the sixty-six county prisons by boards of inspectors appointed by various county authorities pursuant to a series of heterogeneous statutes of extremely various tenor and dates. It is, however, believed that both the State prisons and a large proportion of the county institutions are managed with conscientious care and a large measure of success, considering the practical absence of any central regulating authority.

The discipline varies, according to the separate and congregate methods of confinement, but in both cases its object is to protect the public by deterring crime, and to reform the prisoner as far as incidentally possible. In the congregate prisons some punishment is, of course, necessary to maintain order and obedience, but is always moderate and carefully governed by the inspectors. Where the separate system prevails no great irregularities can readily be committed by convicts in separate cells, and therefore no punishment of any kind is inflicted beyond reducing or annulling the commutation of sentence to which they would be entitled by law for uniform good behavior, and even such cases are extremely rare, never exceeding one or at most two cases per annum.

There is one moral instructor in each State prison paid by the State, and a volunteer on behalf of the Catholic prisoners who serves without pay from the State at the expense of his church. The prisoners are also extensively and systematically visited by the members of the various religious associations, in many cases it is believed with excellent result.

Instruction by paid teachers and liberal libraries is fully provided in both the State prisons, and especially so in the reformatory.

There is no distinction made between penal and industrial labor, or, rather, there is no strictly penal labor used, such as the crank and treadmill. The system of contracting out the convicts' labor, having been found pernicious from every point of view and to all the parties concerned except the contractors, has been for some years forbidden by law, with satisfaction to all. Machinery driven by artificial power has also been abolished in all prisons since January 1, 1898. It was deemed more competitive with honest labor outside, and tended to convert reformatory prisons into manufactories rather than places of punishment. Moreover, what is most useful to the reclaimable convict is instruction how to earn a future honest living, and such instruction is much better derived from expert hand labor than by merely tending an automatic machine. The present system of hand labor exclusively, though it earns less for the Commonwealth, seems to be less obnoxious to honest outside labor, and it is believed is coming to be generally accepted as a substantial improvement.

Owing to the absence of any general prison organization in this State, there is no one common system of selecting employees prevailing in all the prisons. But there are some fundamental principles pertaining to this important subject which have been recognized in some of the prisons with such beneficial results that they ought not to be dispensed with in any prison. Among these are the following:

The absolute and entire exclusion of all considerations connected with party politics or denominational religion.

A rigid limit of age at original appointment within certain carefully considered limits.

Original appointment only to the lowest grade, with subsequent promotion according to time of service and proved capacity, with a small stated increase of compensation after each five years of continuous good service.

Limitation of original selection to such as have knowledge of and are able to teach some useful mechanical trade.

In some of our prisons technical instruction in their official duties is imparted to all subordinate officials by the warden in semiweekly oral discourses, with questions permitted and encouraged. From experience of its value it is hoped the practice may become general.

There is at some of the prisons an established dietary for every day and every meal, but varied sufficiently to maintain appetite. Like most prison dietaries in this country, it is probably more stimulating than it should be for men in confinement with an insufficient quantity of muscular labor, and has at times been so reported by the physicians. Public sympathy, however, will probably continue to insist on a fuller prisoner's diet than science can approve.

Ventilation, drainage, and neatness are scrupulously maintained in both the State Prisons, and to a large extent in those of the several counties. Both sickness and mortality in the former at least range considerably below the rates of the adjacent country, and are fully reported annually to the Governor and Legislature and to the State Board of Charities.

The question respecting the moral reform of prisoners is a disputed one in all countries, and must remain so until a method can be devised of identifying and obtaining statistics of convicts after discharge, without compromising them in the new life they are presumably trying to lead. The proportion of recidivists is large. But as the information on this point can under existing laws only be obtained from the convicts themselves, because of their frequent changes of name and convictions under different names in other States, accuracy can not at present be attained. A chief object of all prisons should be that the convict, however irreclaimable he may prove, shall at least not be further contaminated while held forcibly in the State's control. It is the writer's belief, derived from considerable detailed observation, that while little reform may be effected in habitual criminals of the crime class, there is a large and encouraging proportion of first offenders and accidental criminals who by careful separation from other convicts during their incarceration are discharged with a distinct moral improvement. Certainly all must admit that if there be any prison that discharges a man additionally contaminated within its walls the institution is not only a failure as a prison, but must be classed as an affirmative and pernicious social nuisance.

Excepting in the case of the State Reformatory, the sentences in Pennsylvania are left entirely with the convicting judge within the limits prescribed by law, and after expiration of the term of court can not be interfered with except by the Board of Pardons. The writer has observed no advantage derived from the system known as "indeterminate sentences." On the contrary, it seems more reasonable that the criminal at large, or the individual contemplating crime, should have the deterrent effect of the full sentence constantly and exclusively before him, and should not be encouraged to disregard it by any hope of a special mitigation. Moreover, a sentence pronounced by an experienced judge in open court, subject to public comment and criticism by the press, is an essential part of that trial by his peers, and

according to due process of law, which is guaranteed to every free citizen of the United States. To pretend to give it to him by due public process in the face of the community concerned, and then change the result by a secret process conducted in the recesses of a prison by persons inexperienced in judicial proceedings and comparatively free from public criticism, can scarcely fail to do a great, though secret, wrong either to the community or to the prisoner, and frequently to both. Moreover, such secret processes by persons not selected for their experience in criminal trials and sentences must be incompatible with the publicity and responsibility which free institutions have sought to impose on those regularly appointed judicial and legal officers, who are permitted to abridge personal liberty in criminal cases—for the necessities of the public welfare.

The character and cause of crime are arranged and fully published in the annual printed reports of both penitentiaries, and show but little change from year to year. These reports are supplied to all applicants.

Besides the State Reformatory for reclaimable convicts less than 25 years of age, the State maintains one reform school for juvenile offenders, and affords annual pecuniary aid to several others, which are organized and managed by private associations on well-considered plans.

There are several societies in Pennsylvania which look after discharged convicts. Where this is done by conscientious individuals in a private manner, excellent results have been obtained. But those institutions which assemble discharged convicts together for the easier carrying on of industries for their temporary maintenance it is believed counteract to a great extent such advantages as may have been derived from separate confinement in prison, and although conducted with the best intentions, they are on the whole injurious to the cause of individual reform which they are endeavoring to promote. If it is a benefit to the prisoner to protect him from additional moral contamination while in prison, it must certainly be injurious to subject or invite him to criminal association afterwards.

Many fugitive articles are from time to time published in the United States on penal matters, but the best recent books on such subjects have come to us from European sources. The writer considers the most valuable recent publications to be Mr. William Tallack's *Penological and Preventive Principles*, London, 1896, and Dr. Jule Morel's *Insanity and Solitary Confinement*, which last has been reprinted in Philadelphia by private subscription.

Although the fourteen questions submitted by the commission embrace the entire subject of practical penology, an effort has here been made to answer them without encumbering them with statistical figures, and especially to treat the replies as simple matter of fact, without too much intrusion of opinion. But since facts alone are of little value if stripped of the inferences they justify, the writer may

now venture to add his conviction, confirmed by some years' observation of both American and European prisons, that the continued increase of crime in the United States in excess of the growth of population is chiefly traceable to faults both in jurisprudence and penology which have formerly existed in all countries, but have, to a great extent been successfully overcome in the principal European States. The former consist in the neglect of the best modern methods of promoting the certainty and celerity of final conviction, because these, rather than severity of punishment, are now considered by all approved authorities as the chief deterrents from crime where the moral sentiments are weak. The prolonged and dramatic adventures of appeals, rehearings, and new trials may serve to display the acuteness of reviewing courts, but exert the worst influence on criminals, to whom the verdict of the jury naturally seems only a minor incident in the long-drawn process of ascertaining guilt and adjudging punishment. But since questions of jurisprudence are not embraced in the inquiries of the commission they may be omitted here in order to pass at once to those strictly penological considerations which are the subject of its present research.

No one can deny that a prison, in order to perform any valuable function of example or deterrence, must be eminently and above all a place of punishment, i. e., an undesirable place to be in. Though it may and should be also a place of reflection and improvement, it is not and ought not to be conducted as a school or church, a boarding house or a club, but as a place to be feared and shunned by all those of feeble moral stamina. This essential character of the prison need not be sought for through undue severity, much less through degradation or cruelty of any kind. It is to be had through strict order and unbending regularity of discipline—uniform, invariable, and therefore just alike to all. It should be an essential part of such treatment that the convict shall be protected from additional moral contamination while in prison and from the exposure and blackmail of his late prison companions after his discharge. The first tends to destroy the desire for reformation and the last makes any such desire impossible to gratify.

It seems to have become generally admitted throughout the world, with the exception of portions of the United States, that the best way, and the only way, to attain these essential requisites of intelligent prison confinement is by the careful segregation of all convicts—certainly of those showing any signs of reclaimability—from each other both by day and night. Thus, and thus only, can additional moral contamination be avoided, salutary and strengthening reflection be promoted, and the prisoner's feebly growing efforts toward a reformed future be protected from extraneous criminal influence after his discharge. We are assured by European penologists that these views on

the importance of separation have now become general, with the American exception before mentioned, and that separation from each other in prison, with abundant exposure in that place of shelter to social influences that are good, and to no others, is an appreciated boon to the reclaimable prisoner, and an additional, but wholesome, privation to the recidivists of the irreclaimable crime class. Experience and observation of American prisons, both separate and congregate, has led the writer to full concurrence in those views, and, in fact, argument in this country in favor of the congregate system has now come to be based rather on erroneous notions of convenience than on any moral principle or tested experience. The unfounded theory long advanced by extreme conservatists that penitential separation, however carefully distinguished from solitude, tends to mental alienation never at any time had authentic figures to support it, and has now been so thoroughly demolished by the carefully collected statistics and masterly analysis of Dr. Jule Morel, the distinguished alienist of the Belgian prisons, that it may hereafter be left to the neglect that it deserves. If the statistics so long and laboriously gathered prove anything on the elusive subject of alienation, it is that the promiscuous associations and continual excitements of congregate methods tend far more to mental irregularities than the calm life, quiet reflection, and improving associations that are only practicable under modern systems of separation.

But it is extremely pertinent to the present researches of the International Commission and to the far-reaching questions it has propounded to its members and correspondents, and should now be distinctly recognized, that while no penologist would select or advocate methods of prison treatment solely on grounds of pecuniary economy, yet if the best method should also be found the cheapest, that fact may surely be accepted as an additional argument in favor of separation. At a recent exhaustive legislative investigation of the system and methods of the Eastern Penitentiary of Pennsylvania, which is a radiating cellular structure that during three-quarters of a century has been conducted on the separate system, as far as compatible with its overcrowded condition, it was statistically shown that its total annual expenses per convict for all purposes had during a series of years averaged but about one-half of those of other well-managed prisons conducted on the congregate system.

The investigating committee, not being themselves penologists, were somewhat surprised at the fact and were led to extend their examination and comparisons to several other prisons both in and out of Pennsylvania. The fact, however, proved incontestible, and the reason was not far to seek. It consists mainly in the much smaller number of attendants required to care for prisoners living and working in separate rooms, properly arranged in radiating corridors, than when

rules, regulations, and prohibitions have to be enforced upon working and marching crowds. An exact comparison between the figures of the Eastern Penitentiary and those of one of the best-constructed and best-managed congregate penitentiaries in the United States of nearly the same capacity, after condensing or eliminating the numerous details, stood as follows for the year 1896:

	Total annual cost of each convict.	Number of con- victs for each sal- aried offi- cer, in- cluding all grades.
Separate confinement.....	\$97.85	29
Congregate confinement.....	201.25	12

The above results are derived after crediting both prisons with the slender profit earned by their respective convict labor, the earnings of congregate labor being rather the most, owing to the advantage of its auxiliary steam machinery (prior to its abolition by law). It is obvious that against such steady and continued annual economic advantage in favor of the separate method of confinement the slight additional first cost of the radiating cellular buildings is scarcely to be considered, for there can be no better investment of the public capital than that which is thus shown to reduce the annual cost by one-half.

PRISON SYSTEM OF RHODE ISLAND.

By NELSON VIALI,
Warden of State Prison.

Our system is upon the congregate plan. We have for the past forty years let the labor to outside parties, who contract for a term of years. During that time the prisoners have been constantly employed.

The grade of inmates is established by their records. (See a copy of the rules herewith appended.) Our number of State prisoners is 190. The oversight, management, and control is vested in the board of State charities and corrections. Our discipline is not severe. No officer is permitted to strike or injure an inmate unless in self-defense. Various privileges are accorded to those in the first grade, such as frequent visits of friends, a larger cell, more frequent correspondence, limited use of tobacco, etc.

We use the dark cell for serious violations of rules. A red suit for this class is worn, but may be discarded upon giving thirty days of good conduct.

We have a resident chaplain, who, with the Catholic clergy, devotes the forenoon on the Sabbath to religious worship, with good results.

A good library is prized very highly and is well patronized by the men. All the principal magazines are added monthly. We have 1,700 volumes. An evening school is opened in October, lasting six months, which is prized highly by those who can neither read nor write.

We work our men in the manufacture of boots and shoes, advertising for bids. When the contract is made, it provides that the instructors shall have no intercourse with prisoners other than that pertaining to their work. The officers in charge control the discipline of the workshops, reporting in writing all infractions of the rules. I prefer our system to the State-account or piece-price plan. With our system there is less friction. A warden conducting a business of which he has no practical knowledge can not expect to compete with outside skill, where more than one-half fail in business. In his zeal to make a good showing for the State he will neglect important matters that,

are due the prisoners, with the view to their being restored to society better men than when committed to prison.

Our State prison does not pay the expense of support. A county jail is under the same management, with a population of 300. The same officers and provisions are provided for both institutions. Our deficit the past year was \$23,000.

The board of State charities appoints the warden and deputy warden. It is left with the warden to appoint all other employees. They are retained during good behavior. No political influence is brought to bear, and for nearly thirty years I have never been influenced by politicians. Officers are employed and take the lower grade of pay. While in this grade they show whether they should be advanced. If not satisfactory they are discharged. I deem this better than a school for officers.

The number of recidivists is fully 30 per cent. Four years ago our legislature passed an habitual-criminal act, which gives a sentence of twenty-five years for the third offense of a penal character. This, it is hoped, will deter the repeaters of crime in this State. We do not have a system of parole or probation. In other States where it is practiced it tends to drive this class out of the State, and as they are not followed out of the limits of the State they frequently turn up in other prisons. As a rule, the habitual criminal is the best behaved, especially if he can be released on parole.

The most frequent crimes are against property. The chief causes are hereditary taint in the family and the debasing influence of strong drink.

We have no prisoners' aid society. The convict is furnished with a new suit of clothes and \$5 when discharged. In many instances they follow the trade of shoemaking outside. Many become expert workmen while in prison. There is little hope for an able-bodied man who will depend on society to support him when released from prison. The repentant prisoner will avoid his past associates and will not pose as a martyr and practice upon the credulity of the public. To congregate habitual criminals in a home is the height of folly. Crime is a disease, and this class should be deprived of their liberty as the insane are.

Rhode Island has an excellent reform school, both for boys and girls. Three hundred and fifty-nine boys were in the school at the end of last year. The school is conducted on the cottage plan. Various trades are taught, and every effort is made to restore them to society reformed in their habits.

All the penal and correctional institutions of the State are placed in the charge of the board of State charities and corrections, as follows: The State prison, all of the county jails, State workhouse, Boys' Reform School, Girls' Reform School, State almshouse, and State Hospital for the Insane.

STATE PRISON.

Description.—The main prison building is placed on a true meridian line, and consists of a central building with two wings, each of which is divided into two blocks of cells by breaking the front about midway and carrying back for 42 feet the extreme northern and southern portions. The central building contains on the first floor, level with the corridor floor, the reception room for prisoners, officers' bath-room, and clothes room. On the next floor is the guard room, occupying two stories and connected with the keeper's house in front, and the mess room, kitchen, and hospital in the rear, by means of two iron bridges. The bridge in front is 24 feet in length by 9 feet in width, and is constructed of 15-inch iron beams, supporting an iron framework, with windows, and covered with a slated roof. The bridge in the rear is constructed in the same manner and with the same materials, and is 16 feet in length by 9 feet in width. Above the guard room is the chapel, also two stories in height, with a seating capacity of three hundred, and having a gallery for visitors. The space above the guard room not occupied by the chapel is finished into six rooms for lodging the prison officers on night duty and for the accommodation of debtors. Above the chapel is a large attic room, with stairs leading to an iron cupola upon the roof. The central building is 76 by 76 feet, with the corners cut off at an angle of 45 degrees. It is 85 feet in height from the grade level to the floor of the cupola, and is covered with a slated roof resting upon an iron frame. The reception room and other rooms on the first floor are separated from the corridors by brick walls pierced for seven windows and two doors.

The guardroom, 20 feet in height, is separated from the cells by an iron cage, rising from the floor to the ceiling, with two doors opening upon iron bridges leading to the second tier of cells. The stairways leading to the chapel and officers' and debtors' rooms are protected by strong wirework. The chapel is 70 feet in length by 45 feet in width, the platform for the chaplain's desk and for bookcases being carried back into a recess.

Each wing is divided into two in the manner before stated. The middle northern and middle southern contain each 78 cells, built in three tiers. The extreme northern and extreme southern contain each 48 cells. The total number of cells is 252. The cells are of different dimensions. The five cells on each tier in the middle wings nearest the guard room are the smallest, measuring 8 feet long by 5 feet wide, with a door only. The remaining cells, eight in number on each tier, are 8 feet in length by 6 feet 6 inches in width, having a door and grated window. The cells in the extreme wings are forty-eight in number in each wing, are all of the same size, 8 by 8 feet, and have each a door and grated window. The cells are all 9 feet in height

from the bottom of the floor in one tier to the bottom of the floor in the tier above. The floors are of iron, covered with Portland cement. All the corridor floors, together with the floors for the reception room, guardroom, and chapel, are of Portland cement, laid upon brick arches supported by iron beams. The cells are arranged in each wing in two blocks, separated from each other by a passageway in the rear, 6 feet in width, with a gallery for each tier. A ventilating pipe is carried from each cell into this intervening passage, where the pipes are collected in groups of six, inclosed in tin cases which are carried through to the attic. At that point the pipes are separated and pass, at equal distances apart, through the ridge of the roof to the outside air. Each case is warmed by hot steam carried by a pipe through every group to the top. One-half of the pipes end in globe ventilators, the other half in cowl ventilators. It is believed that complete ventilation is thus secured.

An observation hole is pierced through the rear wall of each cell, permitting the inspection of a large portion of the interior.

The interior dimensions of the main building are as follows: Central building, 76 by 76 feet; middle wings, each, 109 by 64 feet; extreme wings, each, 83 feet 6 inches by 68 feet. The total length is 461 feet. The width of the corridors is 15 feet. The walls of the cells are of brick, laid in Portland cement, and are 12 and 16 inches thick.

The height of the walls in the wings is 33 feet to the eaves; the height to the ridge pole is 47 feet from the grade level. The roof is of wood and is slated. The lines of the roof are broken by ten gables, in each of which is a window admitting light to the attics. Each gable ends in a chimney, to which pass two flues, with openings at the level of the corridor floors for purposes of ventilation. Beneath the entire building is a cellar room 6 feet 10 inches in height, with 18 windows for the admission of light, and with provision for the entrance of an abundance of fresh air. The foundations of the blocks of cells are 11 feet in thickness; the foundations of the walls are 5 feet, and the walls themselves are 4 feet in thickness.

In the rear of the central building, and running to the west, are the mess room, 42 by 70 feet; an octagonal building, 57 by 57 feet, with the kitchen, 54 by 54 feet, on the first floor, and the hospital of the same dimensions on the second floor; and the boiler house, 35 by 40 feet. From the kitchen is built a chimney stack 98 feet in height, containing 4 flues, with a central brick cone 42 inches in diameter, for boiler flue. The mess room is furnished with tables and stools for the accommodation of 224 men. The kitchen has two large and two small Robbins ovens, and four cooking kettles (three of 80 gallons and one of 10 gallons), with every facility for washing, cooking, baking, etc. The boiler house contains four Mills sectional boilers, a forge, and a

steam pump, to be used in case of fire. The hospital is very light, airy, and well ventilated through four fireplaces in the chimney. An iron cage is built so as to inclose the central part of the room, with a passage around it about 6 feet in width. The northeastern portion of the room is partitioned off for bathroom and doctor's office. This building is roofed with wood and slated. The boiler house is roofed with iron and slated. Beneath the building is ample cellar room—a portion 8 feet in height for storage of supplies, and a portion 14 feet in height for storage of coal. On each side of the boiler house there is also a coal cellar 9 by 38 feet and 10 feet in depth.

The workshop, two stories in height, is placed at a distance of 60 feet from the boiler house and runs north and south. The building is composed of two wings, each 100 feet in length by 50 feet in width, and a central portion 60 by 40 feet. There is also an attic for storage 12 feet in height. The entire building is 62 feet in height from the grade level to the ridge pole. There is no cellar under the workshop, but a space of about 2 feet is left for the circulation of air. The central portion of the building contains a bathroom with twelve tubs and facilities for doing a certain amount of laundry work. There is also ample room for an engine for power, if needed, and for offices. The lower story is partitioned off from the central part, but the upper story is left clear that temporary partitions may be placed where they are needed for dividing the room into different shops.

The prison yard has an area of 240,000 square feet. The wall runs back from the prison 400 feet on either side. The rear wall is 600 feet in length. A granite sentry tower, octagonal in form, stands on each corner. The wall is 20 feet in height, 5 feet in thickness at the bottom, and 3 feet in thickness at the top, covered with granite coping 3 feet 10 inches in width. Along the coping runs an iron rail for the protection of the patrolling officer. The yard is entered by two gates, one at the north of the prison building, the other at the south. The north gate, which is now in use, is protected by an interior wooden trap and gate, of the height of the wall, made of 8-inch timber. The south gate is kept closed and securely fastened. The gates are made of wood lined with boiler iron. Provision is made for a third gateway, in case a railroad should be built to the prison, so that a train of cars can run into the yard. The entire length of the yard wall, running from the southwest corner of the prison building and returning to the northeast corner, is 1,539 feet.

In front of the central building is the keeper's house, three stories in height, and arranged in two tenements—the south for the warden's family, the north for the deputy warden's family and the day officers. The main house is 52 by 47 feet. The ell is 46 by 24 feet. The warden's tenement contains fifteen rooms, with closets and bathrooms. The deputy warden's tenement contains ten rooms, with closets and

bathrooms. The second story in the ell—reached by a flight of iron stairs from the driveway between the house and the prison—contains on the south side the warden's private office, on the north side the prison office.

The four boilers in the boiler house furnish steam for the cooking apparatus and for heating all the premises. Pipes are carried into all parts of the buildings required to be warmed and into the keeper's house. All the buildings, with the exception of the workshop, are lighted with gas, together with the interior yard, and the grounds and a portion of the highway in front. An unlimited supply of water is furnished by the force main from the reservoir on the State farm, supplemented by a line of pipe from the Pettaconsett pumping station of the Providence waterworks. The buildings and grounds are drained by pipes laid in the yard and extending 1,000 feet outside of the prison-yard wall.

RULES AND REGULATIONS FOR PRISONERS.

1. When the corridor bells first ring in the morning, each prisoner shall rise, dress, make up his bed, put his cell in order, and be ready to leave the cell at the sound of the signal bell. Upon returning to his cell he is required to close the door and stand at it until counted.

2. No prisoner shall have in his cell any pen, ink, pencil, or other writing material, or tools of any kind without the permission of the warden.

3. Prisoners shall not write or draw upon or in any way deface their cells. They shall keep their persons, cells, and everything pertaining thereto perfectly neat and clean. They shall not make over, alter, or destroy their clothing. Before leaving their cells at any time they shall first put them in good order.

4. Every prisoner is forbidden to read aloud, talk, sing, or make any unnecessary noise whatever at any time, either in his cell or elsewhere. At half past 8 o'clock in the evening each and every prisoner shall go to bed, and shall not get up therefrom until the ringing of the morning bell, unless compelled to do so by necessity. They shall not put food, clothing, or reading matter in the slop bucket.

5. Prisoners will approach the officers in a respectful manner, and all communications between them and the officers must be as brief as possible.

6. They shall not converse or communicate in any way with one another, nor shall they, without the permission of the warden, upon any pretense whatsoever, speak to or communicate with any person not connected with the institution. In the Sunday school, however, they may converse with their teachers upon religious subjects only, and on one Sunday in each month they may speak in free religious conference. Those whose behavior is unexceptionable may, by permission of the warden, talk with one another at table in the mess room.

7. They shall not leave their work or place where they may be stationed without permission of the officer having them in charge, nor shall they gaze at visitors, officers, or other persons. Their attention shall be given wholly to their work.

8. They shall work diligently and in silence on week days. They shall pay respectful attention whenever religious services are held and when entertainments are given for their instruction or amusement, and they shall not deface or in any way injure books or papers which may be given them to read.

9. The clergy of the Protestant churches and of the Roman Catholic Church have the privilege of imparting religious instructions and of administering their rights and sacraments on Sundays, and the attendance of the inmates at the services to be in no case compulsory.

10. Inmates of the jail may be visited by their relatives and friends once in four weeks, and inmates of the prison once in three months. Visits must be made by the relatives and friends of any one prisoner at the same time. Under special circumstances visits may be made oftener by permission of the warden. The law relative to the State prison contains this clause, "No convict shall receive anything but the prison allowance, unless by order of the physician."

11. These rules do not apply to persons imprisoned for debt, or awaiting trial, or held as witnesses. The conduct of such persons, however, must be quiet and orderly; they must do nothing to interfere with the discipline of the institution, and must keep their persons and cells always clean and neat.

12. The behavior of every prisoner must always be orderly, quiet, and in strict conformity with the rules of the institution.

13. Every violation of the foregoing rules and every act detrimental to the maintenance of good order and discipline will be considered a reason for punishment.

14. Prisoners who choose to labor, although not required by law to do so, must, when at work, obey the foregoing rules.

PUBLIC STATUTES.

Chapter 239, sections 11, 12, 13, and 14, reads as follows:

SEC. 11. Every person who shall convey any tools to or shall have any communication or hold any conversation with any prisoners confined in the State prison from the outside of said prison shall be deemed guilty of a misdemeanor, and shall be fined not exceeding one hundred dollars or be imprisoned not exceeding three months.

SEC. 12. Every person who shall convey or cause to be conveyed to any prisoner committed to the State prison any wine or strong liquor, without the consent of the warden, shall be fined not exceeding fifty dollars.

SEC. 13. Every prisoner confined in the State prison who shall assault the warden and underkeeper or other officers of said prison, or shall attempt to escape from said prison or shall effect an escape therefrom, shall be sentenced by the court to the same term of imprisonment in the State prison as that for which such prisoner was originally sentenced, except where the original sentence was imprisonment for life, to commence from the expiration of the original term of imprisonment of such prisoner.

SEC. 14. In case the warden or any underkeeper or any other officer of said prison be killed in any assault by a prisoner, such killing shall be deemed to be murder.

Chapter 240, sections 1 and 2:

SECTION 1. Every person who shall commit murder, unless he shall then be under sentence of imprisonment for life, shall be imprisoned for life.

SEC. 2 Every person who shall commit murder while under sentence of imprisonment for life, shall be hanged by the neck until dead.

Public Statutes, chapter 254:

SEC. 28. The warden of the State prison shall keep a record of the conduct of each convict, and for each month that a convict, not under sentence to imprisonment for life, appears by such record to have faithfully observed all the rules and requirements of the prison and not to have been subjected to punishment, there shall, with the consent of the governor, upon recommendation to him of a majority of the board, be deducted from the term or terms of sentence of such convict the same number of days that there are years in the said term of his sentence: *Provided*, That when the sentence is for a longer term than five years, only five days shall be deducted for one month's good behavior: *And provided further*, That for every day a convict shall be shut up or otherwise punished for bad conduct, there shall be deducted one day from the time he shall have gained for good conduct.

A record of the daily conduct of each inmate is made in the office of the warden at the close of each day, under a system of merit and demerit established by the board of State charities and corrections.

PRISON SYSTEM OF UTAH.

By GEO. N. DOW,

Warden.

The system in this State is progressive classification. Convicts on entering the prison are placed in the second grade, whence after three months' probation they may, if their conduct warrants, be promoted by the warden to the first grade. Prisoners in the first grade are eligible to parole by the State board of corrections upon the recommendation of the warden. Prisoners in this grade may also let their hair and mustache grow and receive other favors denied second and third grade prisoners. The number of prisoners in 1898 in first grade was 120; in the second grade, 55; in the third grade, 2. There is but one prison in this State. It is controlled by the State board of corrections, which is a nonpartisan board.

The special object of discipline in this prison is reformation. For good work and exemplary conduct prisoners are rewarded by being advanced to the first grade. As punishments for breaches of discipline and refusal to work, prisoners are reduced to the second or third grade, and in extreme cases handcuffed in a standing position or placed "in solitary" on bread and water.

Religious services are held every Sunday by different denominations. Prisoners are not compelled to attend services. Voluntary visitors are admitted who try to improve the morals of the prisoners, and I think have a salutary effect in isolated cases.

Prisoners are allowed to attend a night school and have the use of a library. The majority of the prisoners at time of incarceration are illiterate.

All work is for the benefit of the State, and the labor must not be contracted, but carried on under the direction of the warden. The products of the labor are not sufficient to meet expenses.

Prison employees are appointed by the warden, subject to approval by State board of corrections, and serve during the pleasure of the warden and the board. Political influence is not considered in selecting officers. They must be electors of the State between the ages of 21 and 50, of good moral character, and capable of handling men. We

have no schools to prepare employees for their duties. I am confident a school that would teach an employee how to handle prisoners and how to conduct himself when among them would be valuable.

The sanitary conditions of this prison are good with very little sickness.

It is the custom in this State to repeatedly sentence the same person to short terms. Under the present law after a person has served two sentences of three years or over each in this or any other State he is considered an habitual criminal and may on a third conviction, be sentenced to fifteen years.

The most frequent crimes in this State are burglary and grand larceny. We have no societies for the aid of discharged convicts.

PRISON SYSTEM OF WEST VIRGINIA

By S. A. HAWK,

Warden of Penitentiary.

Penitentiary system.—The system in use in the State of West Virginia is the system of progressive classification. Every prisoner entering this institution is put in the second or intermediate class, where he remains for six months. If, during this time, his behavior, general deportment, and industry are such as to earn him the full quota of marks, he is advanced to the first grade. If, on the contrary, he shows by his actions that he does not take any interest in his work and has no regard for the regulations and does not observe the rules, he is put in the third or lowest grade. Of course, it is necessary to leave the advancement or relegation of the prisoner to a higher or a lower grade in the hands of the warden, who, in making a decision as to the conduct of the prisoner, takes into consideration every fact relating to both his mental and physical ability which may affect his status in the institution.

There is only one penitentiary in West Virginia.

Discipline.—The sole object of the discipline in this prison is to reform the prisoner and to hold out the hope of marked improvement in his moral and material life when his sentence shall have expired, rewards being invariably preferred to punishments as a means of stimulating the ambition of the prisoner to better himself. These rewards consist of advancement in grade, commutation of time of sentence, and various privileges much appreciated within prison walls. The punishments inflicted are never inhuman, and are only severe in absolutely incorrigible and obstinate cases. No man need suffer any punishment whatever during his stay in this institution except through his own fault.

Moral and religious influences.—The prisoners attend church services every Sunday and receive the usual religious training on that day, but the aim of the administration being to promote the moral and material welfare of the inmates at all times, they are daily surrounded by such influences as will best bring about such results.

Instruction.—Provision for the education of prisoners in this institution is not yet in practice; but the advantages of instruction being fully apparent in bringing about the mental elevation and improvement of the prisoners, the administration is contemplating the introduction of a system of elementary education as soon as it can be consistently and conveniently arranged.

Work.—The contract system is in vogue in this prison and has been found to be more satisfactory in its operation and general results, financially and otherwise, than any other plan. From a deficit under other conditions of more than \$30,000 per annum a surplus of over \$10,000 for each fiscal year has been brought about. In this connection it can be said that in the accomplishment of this most gratifying result there has been no sacrifice whatever of any of the material advantages to the prisoners enjoyed by them before, whether in the matter of diet, sanitation, or personal comfort (the latter, of course, being restricted to the limitations usual in a penal institution); but, on the contrary, as the records show, the general health of the inmates has been improved and their well-being in every other respect largely enhanced.

Administrative personnel of prisons.—Prison employees are chosen by the board of directors and serve for four years during good behavior, their qualifications and duties being similar to those prevailing in like institutions elsewhere. No special preparatory training is deemed necessary to fit them for undertaking their various responsibilities.

Sanitary condition of prisons.—Good, plain food in abundance is furnished to all prisoners, and ample provision is made for proper ventilation of shops and cells, light, and sanitary arrangements, so as to keep sickness at a minimum. A very efficient physician and a well-stocked drug store has kept the death rate in this prison to 21 per 1,000.

Moral reform of criminals.—Under the reformatory system in operation here there is no question whatever that prisoners leave the institution improved in health and morals, and although the plan has been under trial for only a comparatively brief period, the results have been so satisfactory as to make it manifest that a return to the old method of hard tasks, military strictness, intimidation, and severe punishments would be totally undesirable and would lead rather to an increase than to a diminution of crime.

If the extinction of crime as far as possible be the purpose of society, the system of reforming prisoners, as put in practice in this State, goes far toward accomplishing that object, and as time advances there will be, doubtless, added many improvements which will materially increase its efficiency. In this connection perhaps some plan by which discharged prisoners may be assisted to honest employment

might prove of vast benefit to the body politic in preventing the recurrence of the same offense by the same individual by affording him an immediate opportunity for securing an honorable livelihood, and thus, by removing the almost certainty, which otherwise exists, for friendless discharged prisoners of coming to want within a few days, perhaps, of their regaining their liberty, and removing also the temptation under stress of necessity to engage again in a career of crookedness. Indeed, it is highly probable that with the welfare of the discharged prisoner looked after to some appreciable extent the tendency in time would be to a practical cessation of crime within the confines of this State.

Sentences.—The cumulative and indeterminate plan of imposing sentences is not in operation in this State. I look upon the indeterminate plan with much favor.

Character and cause of crime.—The most frequent crimes in this State are those against property, and are mainly due to dissolute habits resulting from insufficient moral training and lack of education. The desire to lead an easy existence without work is one of the main causes of most of the offenses committed in this State.

PRISON SYSTEM OF WYOMING.

By N. D. McDONALD,

Warden of Penitentiary.

Penitentiary system.—The system of progressive classification is used in this prison. We have three grades—first, second, and third. Recidivists are placed in the third grade and kept there until they are worthy of promotion, which is graded by behavior. First-term prisoners are placed in the second grade and promoted to the first when worthy. Out of 140 prisoners the grades number first, 100; second, 30; third, 10. This is the only penal institution in this State.

General administration.—The authority of control of the Wyoming State Penitentiary is vested in the State Board of Charities and Reform, with the governor as president, and other State officers as members of the board. The board meets on the first Monday of each month in the capitol building at Cheyenne, Wyo. The results of this system of control are entirely satisfactory.

Discipline.—The general object of discipline as practiced here is for the ultimate reformation of the prisoner. It is true, however, that in a very few cases reformation can only be brought about by dread, and such cases are treated accordingly. We do all we can to develop hope in the hearts of our prisoners, and try to make them see that the future will be a bright one, providing they stay on a straight path after leaving here. Rewards instead of punishments are to be preferred by all means. A good-time law, allowing five days in each calendar month, is given for good behavior, and such prison privileges as can be granted without interference with the regular discipline. Tobacco, in the form of both chewing and smoking, of good quality, is issued weekly, but this is withheld when under probation for bad behavior.

Our method of punishment consists of dark cells, bread-and-water diet, deprivation of a certain amount of good time, and the forfeiting of prison privileges, such as correspondence and use of library. These punishments are, of course, commensurate with the offense. By an enactment of the last legislature an amendment to the present good-time law was passed to this effect: "That any prisoner attempting

to escape, or in any way aiding another to escape, will lose entire good time allowance and forfeit all prison privileges until time of release." We have found this amendment to work admirably, and it certainly lessens the number of such attempts.

Moral and religious influence.—The moral training of the prisoners is entirely under the control of the chaplain, Mrs. May Preston Slosson. The appointment of Mrs. Slosson, while it attracted widespread attention and comment, we feel was the best move in the direction of bettering the condition of the inmates that has ever been made in this or any other penal institution. Mrs. Slosson is an exceptional lady, being eminently fitted for the work, and she enters into it with a whole-heartedness that makes itself felt by one and all. Mrs. Slosson is a lady of great refinement and an honor graduate of Vassar. Breaches of discipline have decreased nearly 50 per cent since her appointment, as there seems to be a general feeling of shame among the prisoners that Mrs. Slosson should know that they are under punishment. She has endeared herself to each one of the prisoners, and her chapel services are models of their kind. At different times during the year she arranges a course of lectures upon scientific subjects, given by professors of the State University and Experimental Station located here in this city, these being illustrated by experiments and projections, and they have been the means of elevating the minds of many of the inmates into higher channels. The musical part of the services is conducted by Miss Mary Gates, an associate of Mrs. Slosson, who brings the best local and, at times, outside talent obtainable, and all of the prisoners seem anxious to go to the services instead of making some excuse as in former days. We congratulate ourselves upon this appointment and upon having a lady of Mrs. Slosson's talents in this direction. For several years before her appointment she had shown lively interest in the spiritual welfare of the inmates of this prison, and now that she is a regular appointee, we feel that her good work has only begun, and that it will be followed by the best results.

Voluntary visitors who have the spiritual welfare of the prisoners in view are positively not admitted. While, no doubt, the spirit which actuates them is a worthy one, we have found that they can not, or rather will not, draw the line between the spiritual and bodily welfare of the prisoner. It is well known that a prisoner, at any and all times, has a list of real or imagined wrongs which he readily confides to anyone who will listen, and this class of visitors, we have found, take it upon themselves to regulate the discipline of the prison and in other ways interfere with the regular routine. Intimates, friends, and relatives of the inmates are cordially welcomed to make visits to their unfortunates here; in fact, we desire this, as it opens up to the inmate

a vista of a brighter future under the care and guidance of those who call upon them, even in the time of their trouble.

We have a certain number of the Catholic Church represented here, and they are not restricted in any way in their religious views. Father Cummisky, a worthy representative of his creed, comes here regularly to confess and hold early mass, and is well liked by his small flock of followers as well as by all connected with the prison. Ultimate redemption being the end of all religions, we firmly believe in upholding inmates in whatever faith they may have been raised.

Instruction.—About 60 per cent of the prisoners who are incarcerated here come into the prison illiterate, the balance ranging from common school to college. Text-books are furnished to all, and instruction given in such branches as are needed by other inmates competent to do this. We can say that this same class of illiterates at time of leaving here are able to read and write a fair hand, and some few have shown a decided interest in the higher branches, which liking is gladly aided by any instruction in our power. We have a good, wholesome library of over 1,200 volumes, to which all inmates have access at any and all times. This is composed of the standard authors in history, fiction, travel, poetry, the classics, and religion. The books are classified according to subjects, and an inmate who is thoroughly conversant with his work is constantly kept at work classifying, issuing, and repairing the books. Instructive lectures under the direction of the chaplain, as before mentioned, are a part of the system of education.

Work.—The working of the prisoners is under the direction of the lessee, the prison and inmates being leased for a period of six years. The lessee makes a per capita stipulation for which he feeds, clothes, and keep the inmates in a proper manner. All the labor obtained from the inmates represents a profit for the lessee. The work here is the manufacture of brooms, whisks, and brushes. A large plant, thoroughly equipped, running about 100 men, is constantly kept busy, and a superior quality of goods in this line is turned out. The other prisoners are busy at the regular routine work in the buildings or on the farm, which consists of something over 100 acres under cultivation. The warden is appointed by the governor, which appointment is confirmed by the State Board of Charities and Reform, which represent the interests of the State at the institution. The prison routine and discipline are under his control, and he makes monthly reports to the board as to the condition and management of the prison. The system in vogue here gives entire satisfaction to all parties concerned, and has run without any conflict or disagreement on either side.

Administrative personnel.—Guards are chosen at a fair salary, and hold their situations as long as they satisfactorily perform their duties.

Change of administration does not mean the discharge of a faithful guard here, as we are not hampered with any political pullers. When an officer fails to give satisfaction he is at once relieved from duty and a competent man is given the vacancy. The qualifications for guard are that he be a man in the prime of life, neither too old nor too young, and that he be free from all infirmities. He must have good hearing, good eyesight, be quick to grasp a situation or to grapple with an emergency. We also demand that the applicant be well educated, so that in case of an emergency he may at a moment's notice be able to fill any position in the prison, either clerical or otherwise. We try to select our guards from those who have had a military training and who have been under military discipline. This is to us an important factor in the good management of the prison. Being in the land of military posts, such applicants are not hard to find, and our list of eligibles is a large one. The use of intoxicants is strictly forbidden to any prison employee, and discharge follows the infraction of this rule.

We instruct guards for a term of about one month in prison duties before putting them to work, and we deem that schools for this purpose would be an excellent thing, and one that would in certain sections do away with the difficulty of obtaining really satisfactory guards. Guards are instructed to be at all times courteous to all inmates, and to treat them with all possible kindness compatible with discipline; and the actions of the prisoners in regard to obeying the rules and mandates amply repay this regulation. The saluting of an officer is required, but in a military manner, and it helps to maintain discipline, while it does not lower the self-respect of any inmate. An overbearing manner from a guard to a prisoner is not tolerated, neither is undue liberty of speech from prisoner to guard. We try to strike the happy medium, and so far can congratulate ourselves upon the result of careful rules and careful selection of employees.

Sanitary condition.—Dietary: The food used is the most wholesome and nourishing procurable. Meat in the form of stew or hash is given for breakfast each morning; roast or boiled meat dinners; vegetables in abundance during season, raised on our own farm. Cows in sufficient number to supply plenty of milk are kept. Warm suppers are always given, as this promotes the good health of the inmates and prevents sleeplessness. We have large, well-ventilated kitchens, sanitary sinks, galvanized cooking ware, and absolute cleanliness in the preparation of the food. Standard brands of teas and coffees are used, the result being pure drinks, free from adulteration. Food is served in family style, and the pans are kept well filled, so that no inmate leaves the table feeling that he did not have enough to eat or drink. Our bakery is a model of its kind, and our bread is not excelled anywhere. Rolls, biscuits, and cakes are used on the tables in addition to

the other foods, thus giving a variety which agrees with the appetites of the inmates. An unsatisfied appetite and good work are incompatible. Variety one must have in order to thus satisfy, and we are amply repaid in this direction by the willingness of the inmates to do their regular work, and in the quality of the work done as well as the quantity.

Ventilation: We deem this one of the most important parts of a well-conducted penal institution, and one that requires careful attention and study. Our prison buildings themselves form the front of the prison system, the walls running back from either end, forming the area at the back, thus leaving one side of the buildings open to the sun and air, with no obstructions, such as walls, fences, etc. We have two cell houses, divided by the offices and administration buildings. In the north wing the cells are of stone, each cell being 6 by 8 feet, with an 8½-foot arched ceiling. Cells are in three tiers. Each cell has two ventilators, one at the top and one at the bottom, all connected with a central draft system, thus giving as nearly perfect ventilation as is possible. In the south wing the cells are of the open-bar or cage system, also arranged in three tiers. These cells have a ventilator at the bottom, the open front obviating the need for the top ventilator. The windows of the two cell houses run from the floor to the ceiling, with transoms at the top, thus admitting plenty of air and sunlight. Steam heat is used throughout the buildings in preference to any other system, as it discharges a certain amount of moisture in the otherwise dry atmosphere of the houses, particularly noticeable in this high altitude. This heat also supplies the hot water for the lavatory rooms and closets. The temperature is carefully regulated, guards being required to notice thermometers every hour and report readings of the same. This precaution in this altitude of 7,240 feet is necessary. The summer seasons are very short, and consequently heat is required longer than in most localities, and this necessitates careful attention to regulation and ventilation.

Neatness: Great care is exercised as to the neatness of the clothing, bedding and cells, dining tables, and all culinary ware. Clothing is washed under the direct supervision of an officer, and all pieces are examined carefully; therefore cleanliness of clothing is obtained. Beds and bedding are regularly aired and exposed to sunlight, and in this way kept pure and sweet. Ticks are regularly filled with clean straw, and all cells scrubbed with a disinfecting fluid composed of hot water and carbolic acid. In the north wing the cells are regularly whitewashed inside and out several times a year, as are all the walls in both cell houses and kitchens. A plentiful use of lime is found to be one of the best disinfectants we can use. Inmates are required to bathe once a week and oftener in warm weather. Sanitary bath tubs and plenty of hot water supply the lavatory demands. Water-

closets are supplied with running water, and thus kept clean at all times.

Sickness.—The percentage of sickness is very small. The medical care of the inmates is looked after by the prison physician, Dr. A. B. Hamilton, a man untiring in his duties and efforts. His constant care and attention have reduced sickness to a minimum. No serious cases have occurred for years. Some of the inmates when received have a certain amount of pulmonary trouble, but the dry air and altitude of 7,240 feet, combined with the careful medical attention, soon conquer it in its incipient stages. We have an unlimited supply of fresh running spring water supplied from the mountains, and to this we can not fail to attribute a great deal of our freedom from sickness. This water is shown by analysis to be on a par with any of the famed drinking waters of the world, and we know from its effects that it is medicinal in its properties. Consumptives are greatly benefited by the air at this altitude, and we have turned out from this institution many inmates who when received were considered to be almost beyond recovery. There is no case within our observation or on our records where we have turned out a man to die of pulmonary disease after leaving here. Increase in weight is very marked in inmates, and stays so until the normal amount is reached, after which the inmate stays in that condition during his incarceration. Good, sound sleep is the rule at this altitude, and as at no time of the year is bed covering uncomfortable, there is no undue restlessness caused by overheated cells. The evenings are always cool and refreshing.

Mortality.—On August 31, 1893, at 11.30 a. m., occurred the first and only death in the history of the institution since its establishment in 1872. This man was a sailor, received here on May 11, 1893, at which time he was afflicted with leprosy, contracted in some foreign country. He was at once isolated in a building put up for that purpose and there kept until the date of his death, as above given. This was an incurable case when he was received, and the cause of his death was authenticated by a post-mortem held by medical experts. We have cause to believe that there is no penal institution that can show so small a mortality record for the same number of years.

Moral reform.—We contend that our prisoners go out from here better, both morally and physically, as the entire number of recidivists in the history of the prison has only been five—four males and one female. Quite a number of discharged prisoners are holding good positions in the car shops here in this city, and others have passed an examination which qualified them for service on the different railroads. Several have just returned from Manila, and there also some have laid down their lives for the cause of an oppressed country, not their own.

We try, where such is practicable, to keep in communication with our prisoners and find out how they are doing, and such communications have firmly established in our minds that we have at least bettered the condition of some of those unfortunate enough to have the pall of shame over them at one time in their lives. A few, of course, seem to be beyond redemption, and we have on record several who have been received as inmates of other penal institutions, but the percentage is so small that we can safely assume that morally the majority are benefited. A cheerful recognition of all discharged prisoners when met, a hand shake, a good word, carefully worded admonitions will do a great deal to keep them in the right way.

Sentences.—The indeterminate system of sentences is used in this State. As noticed from the foregoing paragraph, the number of recidivists has been so small that we can not state whether it is the usage to sentence for longer terms for each repeated offense.

Character and cause of crime.—The crime most frequent in this State is that of stock depredations, owing to the vast country which is practically uninhabited upon which are running loose the numbers of range stock found in this State. The temptation for the killing, running off, and disposing of live stock is thereby greatedened, and hence the large proportion of crimes of this character. The greater portions of the State can not be reached by railroads, even the stage lines running irregularly; hence the fear of detection is greatly lessened.

Juvenile offenders.—We have no reform school in this State for the reception of juvenile offenders. Any such are sent to the Industrial School of Colorado, in Golden. The small number of such offenders precludes the idea of any such institution in this State as yet, and the results, as shown from the reports of the board who visit Golden at stated intervals, show that the system there is a beneficial one. This system of sending to Golden has proven to be perfectly satisfactory.

Aid to discharged prisoners.—There is no society for that purpose organized in Wyoming. The greater portion of the inmates are bona fide residents of the State, of whom many own their own ranches, etc., or whose parents are able to send after them and aid them upon release. The State furnishes a neat, good suit of clothing to each discharged prisoner, to the value of \$15, and a cash gratuity of \$5. This, with the help given from their friends, usually lands them at home, if such be their destination. The really small number of foreign inmates is so small in comparison to those from the State that that has probably been the reason for not organizing such a society. No doubt such societies are a good thing and they help some discharged inmates to a large extent, especially where the man is a long distance from his home and with no means to reach there. The discharge of some men virtually without any money is no doubt the cause of repeated crimes, and the institution of a law such as now is enforced in New York, requiring

that all prisoners be discharged during the summer months, is a good move in the right direction.

Penal publications.—To our minds, the annual reports of the different penal institutions throughout the country and the world are the best literature to be had on penal matters. These, if taken and studied, will give the success or the failure of nearly every system now known to penal authorities, and thus act as a text-book to the student in such matters.

PRISON SYSTEM OF NEW HAMPSHIRE.

By CHARLES E. COX,

Warden of State prison.

There are 175 convicts in the State prison. The only thing in the discipline tending to develop hope is the good-time law. A chaplain has charge of the moral instruction. No volunteer visitors are allowed for this purpose.

Many of the prisoners have had very little schooling, though a few have had college training. A good library and schoolbooks are furnished for the use of the prisoners.

The labor of the prison is under the contract system, and expenses have been nearly met the last few years.

The warden, chaplain, and physician are appointed annually, and the warden appoints his deputy. All other employees are hired subject to the approval of the governor and council. They must be of good moral character.

The diet is plain but sufficient. The sanitary condition is good. Each cell has an 8-inch roof ventilator. The most careful attention is paid to neatness. The result is that there is little sickness and the death rate is small.

The most frequent crime is that of stealing, of which the causes are keeping bad company and living beyond one's means.

There is one reform school in the State and one society for the aid of discharged convicts that helps to find situations and sends men to their homes. The results of this have been very good.

CARE FOR DISCHARGED PRISONERS IN THE UNITED STATES.

By PHILIP W. AYRES, Ph. D.

The first prisoners' aid society in the United States was organized in 1776 at Philadelphia, but, owing to the Revolutionary war with England, was inoperative. Reorganized in 1787, it has had 113 years of unbroken usefulness, and is now called the Pennsylvania Prison Society. The New York Prison Association, organized in 1845, and the Massachusetts Society for Aiding Discharged Prisoners, organized in 1846, in Boston, were the next societies. These were founded with the direct object, among others, of assisting discharged prisoners. The Maryland Prisoners' Aid Association was organized in Baltimore in 1869. The Michigan Industrial Association of Detroit, now known as the Agnes L. d'Arcambal Home of Industry for Discharged Prisoners, was organized in 1888. The above are the leading societies in the United States. Various other societies, however, have been organized from time to time, most of which are still active and some of them very effective in their work. Among these may be mentioned the Connecticut Prison Association, with headquarters at Hartford, the Rhode Island Prisoners' Aid Society, at Providence, the Colorado Prisoners' Aid Association, at Denver, and the Louisiana Prison Association, recently organized at New Orleans.

None of these have been limited in their scope simply to care for ex prisoners. All have gone from the effect to the cause and have been influential in two important directions—first, in stimulating care for dependent children which would prevent their getting into prison, and second, in changing the prison system to make it reformatory, looking toward the indeterminate sentence and the discharge of prisoners to employment on parole. These societies have not accomplished their object, but in several of the States of the Union admirable progress has been made, especially in changing the system of prison administration and securing the indeterminate sentence with conditional liberation.

Nearly all of the States have made progress in the care of delinquent children.

In 1870 the National Prison Association of the United States was organized. It met annually until the death of its founder, Dr. E. C.

Wines. Reorganized in 1884, it has convened each year in a different city, and while it has no legislative power, the character of its membership has been high and the scientific value of its discussions great to such an extent that its influence has been marked upon State legislatures in improving both the conditions in prisons and methods of prison administration. The national association is in a measure the child of the New York Prison Association, and these two bodies together fostered the establishment of the Elmira Reformatory, opened in January, 1876, which was the first institution in the United States based upon the principles of the indeterminate sentence and parole. The States of Massachusetts, Pennsylvania, Minnesota, Illinois, Ohio, and Indiana have established similar reformatories.

All of the States above named find employment for the men who are discharged on parole, and most of them have agents paid by the State for finding employment. To the extent that the work of these State agents is effective the work of prisoners' aid associations for the care of men becomes unnecessary. The situation in Ohio is interesting. A law was passed in 1885 applying the indeterminate sentence to all first offenders except those committed for life or for capital crime. Several other States have passed similar laws. In most of the forty-five States, however, similar laws and agents are not found, in many of the States not even prisoners' aid associations, and there remains much to be desired in this direction. Such progress as has been made has grown in several instances from the small beginnings of the prisoners' aid associations. The organizations of the new societies, therefore, as in Louisiana and Colorado, are eagerly watched, their efforts being from the start not only to care for discharged prisoners, but also to change for the better systems of prison management, whereby the need for prisoners' aid associations is removed.

In addition to the foregoing, various religious bodies have undertaken to befriend discharged prisoners in the United States. Chief among these is the work of the Volunteers of America, under the direction of Mrs. Ballington Booth. Some account of her work is appended to this article. The Salvation Army, whose workers are found in nearly all of the large cities of the country, has always given a helping hand to prisoners. Various local societies have been formed in different cities, such as the Prison Gate Mission at Buffalo and the League of the Good Samaritan in the capital city, Washington, D. C.

In the organization of improved prison methods in the United States the boards of State charities and correction now found in many of the States have been very useful. These are permanent unpaid commissions made up of influential men and some thoughtful women who visit the institutions, and with the help of a paid secretary print reports and communicate with the various members of the State legislatures.

Most effective help to discharged prisoners has been rendered by the Charity Organization Societies, or as they are sometimes called Associated Charities, now found in 105 cities in all parts of the United States from ocean to ocean. These societies have found employment for prisoners and given aid to prisoners' families in a great number of instances and have prevented the need in many cities of an organization directly for the care of discharged prisoners.

A brief description follows of the work for prison reform and of care for discharged prisoners in some of the States in which most progress has been made:

PENNSYLVANIA.

In the year 1776, that marked the outbreak of the Revolutionary war with England, a group of gentlemen in Philadelphia formed a society for assisting discharged prisoners. Owing to the excitement of the times it disappeared and was reorganized in 1787 and called the Philadelphia Society for Alleviating the Miseries of Public Prisons. At its one hundredth anniversary in 1887 its name was changed to the Philadelphia Prison Society. The religious society of Friends has been marked for its progressive humanity. This first of prisoners' aid societies in the United States was organized and has continued in greater or less degree under the kindly influence of that body. It early adopted the principle of separate confinement of prisoners in order that they should avoid the contaminating influence of one upon another, and thus be stronger, morally, for the battle of life when discharged. After forty years of continuous effort on the part of the society, the Eastern Penitentiary of Pennsylvania was opened on October 25, 1829. The entire credit is due to this society for the change from the old system, with its barbarities and long list of crimes for which the death penalty was inflicted, to the new system of humane and kindly treatment.

In October, 1844, the Journal of Prison Discipline appeared, and has since been regularly published by the society. From the first, discharged prisoners have been cared for. In 1861 the committee communicated with a large number of them, learning their situation and condition. In 1883 the society was instrumental in bringing about the system of police matrons for women prisoners in Philadelphia. The policy and line of action of this society are characteristic of all the other prison societies in the United States. They have in a greater or less degree influenced the prison systems of the States in which each is located by securing legislation that has placed prison discipline on a more humane basis, so that the prisoners when discharged are better able to cope with the problems of life. For further information address John J. Lytle, secretary, Philadelphia, Pa.

There is also in Philadelphia an industrial home for discharged pris-

oners. The Society for Organizing Charity in Philadelphia has given employment through its wood yards to many men discharged from the jails and city lockups and has assisted their families.

NEW YORK.

The New York Prison Association, founded in 1845, has been for fifty years the most active and influential organization in America excepting the National Prison Association, which it helped to organize, in applying advanced principles of criminal jurisprudence, in effecting a more kindly and vigorous prison discipline, in organizing preventive measures for juvenile delinquents, and in caring for discharged prisoners to prevent their falling again into crime. During the fifty years of the association's existence (1845 to 1895) 121,828 prisoners have been visited, helped, or counseled. In addition, 30,098 other discharged prisoners have been registered, for 7,631 of whom the society has secured work. Previous to 1877 the association received an annual appropriation from the State legislature, and assisted prisoners from the State prisons in clothing, transportation, and in other ways. Since that time the officials of the prisons have given attention to these matters except as to prisoners discharged from the district penitentiaries. For these latter the society now cares particularly. It is largely due to the society's influence that legislation was secured for the establishment of the Elmira reformatory, opened in 1876. The office of the association is located at 135 East Fifteenth street, New York City, William M. F. Round, corresponding secretary; D. E. Kimball, agent.

In the city of New York a society for the aid of Jewish prisoners maintains three chaplains, who visit the several penal institutions and aid discharged prisoners. Mr. Henry Solomon, honorary secretary, can be addressed at 58 East Sixty-fifth street, New York City.

The city of Buffalo has a Prison Gate Mission, with its home at 429 Front avenue, which gives attention particularly to discharged females from local penal institutions. It maintains a laundry and receives other women besides prisoners.

MASSACHUSETTS.

The Massachusetts Society for Aiding Discharged Convicts was organized in 1846. It has had a useful career and aids men prisoners from Massachusetts jails, houses of correction, and State prisons, and sometimes those from prisons in other States. It furnishes clothes, board, tools, and employment if possible, and aids in seeking friends at a distance. The superintendent is an agent of the State (paid by the State) in helping to find employment and in giving supervision to convicts discharged from the State prison.

In 1864 a society was formed to assist and care for discharged female prisoners. This institution is located at Dedham, Mass. The number of women cared for during 1898 was 87. The matron is a person of experience and judgment, who trains the women in useful work and is skillful in placing them.

In order to influence penal legislation the Massachusetts Prison Association was organized in 1889. It also befriends the innocent and ignorant under accusation, promotes the welfare of those placed on probation by courts; also of the families of prisoners, and aids released prisoners to live honorably. Mr. Warren F. Spalding, Boston, Mass., is secretary.

The John Howard Industrial Home, located at 95 Francis street, Longwood, Mass., was organized in 1890 for giving employment and shelter to men discharged from prisons until permanent work is found. Broom making is the industry. It accommodates 50 persons.

At each municipal court in Boston a public probation officer is stationed at the city's expense, who investigates every criminal case brought before the lower courts. Two of the probation officers are women. Convicts may be placed in the care of a probation officer for a period of time usually from two to twelve months and upon any condition. When a prisoner is so placed he is not confined in a prison or jail, but by proper behavior and by reporting to the probation officer has an opportunity to do well without commitment. If a convicted prisoner violates the privileges, he is arrested and put in prison without further trial.

The State of Massachusetts, in addition to its State prison, has two reformatories, one for men serving their first sentence, located at Concord, and the reform prison for women, at Sherborn. These two institutions are among the best of their kind. During the year ending September 30, 1898, 728 prisoners were given permits of release from the reformatory for men at Concord, previous to the expiration of their sentences. Of that number 616 made reports to the officer of the commissioners of prisons with a varying degree of regularity. One of the conditions of the release of a prisoner is that he shall report once in each month for one year. During the year ending September 30, 1898, 33 were returned to the reformatory by order of the commissioners for violating the terms of release. No information has been received of the 112 who failed to report.

OHIO.

In the State of Ohio there is no prison association and no society for discharged prisoners. The State Board of Charities and Correction, however, of which for many years Gen. R. Brinkerhoff (address, Mansfield, Ohio) has been chairman, has so influenced the legislature in the State that Ohio was the first of the several States of the Union

that adopted indeterminate sentence with conditional liberation for all first offenders, excepting those committed for life sentence or capital crime. This law went into effect in 1885, since which time the State has insisted upon employment for discharged prisoners. The following statistics indicate the number paroled and the number returned to the State prison. From July, 1885, to February 7, 1899, 1,311 prisoners were paroled, of whom 114 were returned for violation of parole. All of the men excepting 103 reported faithfully until the expiration of the parole. The prison has no knowledge of any crimes committed by these 103 other than the failure to report.

The legislation necessary to secure these results has also been adopted by twenty-four States. This action is the result of years of agitation.

The State of Ohio has also a reformatory for first offenders under 30 years of age, located at Mansfield, on the plan of the Elmira Reformatory. This was opened on September 26, 1896. One hundred and fifty men have been paroled since that date and January 1, 1899. All have done well except 8, who violated the parole and were returned.

The Associated Charities in Cincinnati and in Cleveland have given care to numerous individuals and their families. Both these societies have wood yards for temporary employment of men.

ILLINOIS.

Illinois was the second State to adopt the system of the indeterminate-sentence parole for all first offenders. This was largely due to the influence of Maj. R. W. McClaughry, warden of the State prison at Joliet, who was the chief of police in Chicago during the International Exposition, later superintendent of the Illinois Reformatory at Pontiac and now superintendent of the United States prison at Leavenworth, Kans. The system has been criticised to some extent in the public press of Illinois, but the carefulness with which it has been administered has now apparently made it permanent.

The society for the care of discharged prisoners known as the Illinois Prisoners' Aid Society was organized in 1885. It established a home for discharged convicts, with broom making. Other industries also were undertaken. It has never had a wide influence throughout the State, however. The home is still continued in Chicago and gives care to a number of men each year.

MARYLAND.

The Maryland Prisoners' Aid Association was organized in 1869, with the object of religious work for prisoners and aid to discharged convicts. The president and agent of the society have visited not only the Maryland State Prison and the several county jails of that

State, but also the poorhouses, and have been instrumental in the reform of institutions for children, for the insane, and for paupers. There has been no board of State charities in Maryland to visit these institutions and the visits which the members of the Prisoners' Aid Association have made have been of great value. The State of Maryland has now built a model prison on approved plans, the credit for which is in part due to the long and faithful labors of the Prisoners' Aid Association. This society has been one of the most effective in the United States in direct work for prisoners and their families, as well as in the larger measures of public improvement. Further information may be secured from G. S. Griffiths, president, and W. C. Stoudenmire, secretary, Baltimore, Md.

CONNECTICUT.

The Connecticut Prison Association, organized in 1876, has, like the associations in other cities, an interest in improving penal legislation; it has done a large work directly for discharged prisoners. Of the 212 prisoners discharged or paroled from the State prison last year, tickets to their homes or places of employment were furnished to 97, and clothing to the entire number. The State appropriates \$2,700 and the society provides clothing and transportation, which in other States is usually given by prison officials. The society has made an effort to secure the establishment of a reformatory similar to the Elmira reformatory, but thus far without success. John C. Taylor, secretary, Hartford, Conn.

MICHIGAN.

Less progress has been made in Michigan as a State in developing penal legislation than in some other States, but in the city of Detroit an institution for the direct care of discharged prisoners has done work as valuable as any other society in the United States. This institution is the Agnes d'Arcambal Home of Industry for Discharged Prisoners, located at Detroit. In it brooms are made, chairs are re-caned, and rugs of all description woven from worn carpets. The institution has been under the Christian influence of a devoted woman from the time of its organization. Mrs. d'Arcambal, recently deceased, has done a thoroughly useful and successful work in placing many prisoners upon the right track in life. Hopeless cases are not allowed to become repeaters. During the year ending April 1, 1896, 73 men were admitted. A man may stay from three weeks to six months, at the discretion of the manager. The institution, owing to the energy of its founder, has become well known throughout the country.

MINNESOTA.

The State of Minnesota is another of the progressive States that has adopted the indeterminate sentence with parole. It has a State reform-

atory located at St. Cloud. The State employs an agent whose business it is to secure employment and give care to paroled and discharged prisoners. The parole system obtains quite largely in the State. There is also a Prisoners' Aid Association, located in Minneapolis, that cares for the families of discharged prisoners and does some preventive work with criminally exposed children. During the year ending October 1, 1897, 12 prisoners were helped to release and employment by the society, employment was found for 7 discharged prisoners, and 36 families ministered to. The State agent is the principal source of employment for prisoners in the State. His work, recently undertaken, will be observed with great interest.

COLORADO.

The Colorado Prisoners' Aid Society, organized in June 1898, though still very young, is promising and illustrates the tendency not only to look after discharged prisoners, for which it was organized, but also to change the present system and to extend the practice of humanity through State officials. The laws already established relating to jails and county institutions have been studied and their proper enforcement emphasized. Through the efforts of the society the Bertillon method of identification is now in successful operation. The society at the end of its first year looks forward to a broad field of usefulness. It will not be long probably before Colorado joins the other progressive States in more radical measures of reform. Lucy I. Harrington, secretary, Denver, Col.

LOUISIANA.

The Prison Reform Association, located in New Orleans, cares for discharged prisoners, and in its first year has accomplished a large educational work. The removal of all boys under 16 years of age from workhouses has been accomplished. There is not a boy in the local prison or in the police jails, and the removal of every insane and feeble-minded person also has been secured. Mr. Clarence F. Low, president, writes that much hard work with officers of all kinds has been necessary and the accomplishment of the work has been delayed by the yellow fever, but yet with the results accomplished there is much room for encouragement. Address Clarence F. Low, esq., commissioner of prisons and asylums, New Orleans, La.

INDIANA.

The State of Indiana, like its sister States Ohio on one side and Illinois on the other, has adopted the system of indeterminate sentence with parole, and has classified its prisoners so that one of the State prisons is now a reformatory for first offenders. The State agent provides employment to paroled men. There is no prisoners' aid society in this State. The Charity Organization Society of Indianapolis has assisted many individual prisoners and their families.

VIRGINIA.

Virginia has a prison association, which has not had a large influence upon the legislation of the State. It has confined its work almost entirely to preventive measures, and maintains a State reformatory and State industrial school for boys.

RHODE ISLAND.

Rhode Island has a Prisoners' Aid Association, organized in 1881, and cares especially for women at the Sophia Little Home in Providence. Other unfortunate women are also received.

CALIFORNIA.

California has a State Prison Commission, organized in 1865. The State does not seem to have kept pace with others in progressive legislation. A Prisoners' Aid Association was organized several years ago for employing discharged prisoners in an industrial home in San Francisco. It is now discontinued. The Associated Charities assist individual prisoners.

Organizations have been effected at different times in Wisconsin, Kentucky, Iowa, and New Jersey, but do not require special notice. Some of them are no longer in existence.

It will be noted from the above that those prisoners' aid societies that have been satisfied with the care of discharged prisoners have been least progressive, but those that have operated in connection with the legislature and influenced the public to change the old system of penal legislation and jurisprudence have in several instances been successful.

In Ohio, Indiana, Illinois, and Minnesota the indeterminate sentence with parole is the law of the State. These States all have reformatories for first offenders. The men are sent to employment on conditional liberation. In other States, as New York, Massachusetts, and Pennsylvania, reformatories have been established, all on the model of the reformatory at Elmira, and to those institutions, though not to the State prisons, the law of indeterminate sentence and parole extends. These institutions, excepting Ohio, have agents paid by the State to find employment for the prisoners before discharge. To the extent that this system prevails, to that extent associations to aid discharged prisoners are unnecessary.

To all these progressive movements the National Prison Congress has lent its influential assistance. The several State boards of charities and correction have fostered the same, and the charity organization societies (associated charities) in each city have lent their support while giving care directly to families of prisoners and to those men and women who on their discharge from prison are in need of employment. There is still room for great progress in the United States, *and great progress has already been made.*

APPENDIX.

PRISON WORK OF THE VOLUNTEERS OF AMERICA, AN ORGANIZATION SIMILAR TO THE SALVATION ARMY.

We have established in nine of the largest State prisons in the United States what is known as Volunteer Prison Leagues. The membership is as follows: Joliet, 600; Charlestown, 254; Auburn, 206; Clinton, 240; Sing Sing, 458; Trenton, 440; San Quentin, 149; Folsom, 216; Baltimore, 115; total, 2,678.

To each of the above members we send our official paper, The Volunteer Christian Advance Weekly, also a Day Book, which is a selection of Scripture quotations for morning and evening. Each member is also supplied with a league button, which he wears on the lapel of his coat, by permission of the prison officers, and finally he is supplied with a certificate of membership, which he is allowed to have framed and hung up in his room.

The attitude of the prison officers is very cordial. Mrs. Booth is heartily welcomed to all the State prisons in which we have opened work, and letters are received from time to time from the wardens and chaplains of other prisons urging Mrs. Booth to open her work there.

Mrs. Booth visits each prison as frequently as possible, holding league meetings on Saturday afternoon and then talking to the whole prison congregation on Sunday morning. When Mrs. Booth does not find it possible to visit for a certain period in person, we have officers who hold meetings for her, and thus we keep constantly in touch with the men behind the walls. Mrs. Booth also has personal interviews in the warden's office, sometimes seeing as many as one hundred men and talking to each one about his individual wants. In all these meetings and interviews the men are urged to come direct to us as soon as they leave prison.

Quite a large number of men come to us at our headquarters after they are liberated who have never joined the league inside the walls; to these, as well as to many married men who have not passed through our homes, we extend all the help possible, such as finding them employment, in aiding their families, and very often in having their children placed in care of some home until such time as the parents are able to provide for their wants.

We have three homes established for the care of the men after they leave prison, known as hope halls; one home is in New York City, one in Chicago, and one in San Francisco. These three homes will accommodate at one time about 200 men, as follows: New York, 50; Chicago, 80; San Francisco, 70.

The average number of men in Hope Hall (1) for the year 1898 was 35; Hope Hall (2), 20; Hope Hall (3) was only opened during the last week in December, 1898; since then 36 men have been received from Joliet, and 15 of them placed in good positions. We have received good reports from Nos. 1 and 2; we do not look so much upon numbers as upon results. We try to be thorough in our efforts to help each man who comes to us to make a man of himself; he stays at our homes until either he himself finds employment or we are able to place him with an employer who is willing to take him, knowing his past life. Each year the number who come to us is on the increase. The number of men received into the three homes during the year 1898 was 239. We estimate that 70 per cent of our men live honest lives after graduating into positions. We have seven men in one large factory, every one of whom has given the best possible satisfaction, having been employed from eight to twenty months each. In another factory we have five men. The manager says he does not ask for better men, and if Mrs. Booth is as successful with other cases as with these five men, then indeed it is a wonderful work.

The method of securing employment is as follows: By Mrs. Booth's articles in the press, also through her many friends and by competent officers who go among merchants, etc., seeking employment for the men; also by Mrs. Booth's efforts in her public meetings.

INDEX OF SUBJECTS.

	Page
Agnes L. d'Arcambal Home of Industry.....	140, 146
Aid to discharged convicts	36
In Connecticut.....	47
In Maryland.....	65, 88
Appendix	149
Appendix A	88
Appendix B	89
Associated charities in Cincinnati	145
Auburn system	9, 38
Bail, prisoners admitted to.....	101
Baltimore, population of	56
Bertillon system	71, 147
Bipartisan prison management	17
Blankets, manufacture of	27
Board of pardons, in Colorado.....	40
Booth, Mrs. Ballington	21, 37, 141, 149
Booth, Mrs. Maude	37
Boston, city document of.....	8
Bottle making	60
Bread-and-water diet	53
Brinkerhoff, R	144
Broom making	144, 145, 146
Brother Dominic	61
California	148
California, State prisons of.....	15
Camp or farm system.....	104
Capital punishment, abolished in Colorado	40
Cassidy, Michael J.....	9
Cause of crime.....	35
Cells, individual instruction in	41
Chain gang in North Carolina.....	102
Chaplain of Wyoming prison, Mrs. M. P. Slosson	132
Charity organization societies, member of	142
Charity Organization Society of Indianapolis	147
Chief of police in Chicago	145
City jail, Baltimore.....	59
Classification and discipline.....	43
Classification in Michigan.....	81
Colorado.....	147
Prison, deaths in	40
Prisoners' Aid Society	41
Prison system of	38
State Reformatory	41
Prisoners' Aid Association	140, 147
Colored Boys, House of Reformation for	63
Colored Girls, Home for	62
Colored Girls, House of Good Shepherd for.....	63
Commitments, decrease in, in Maryland	65
Commutation in California.....	16
Comparative cost of separate and congregate prisons.....	118
Compensation of prison officials.....	43
Competition of prison work.....	88
Concord Reformatory.....	144

	Page.
Confirmed offenders, treatment of	29
Congregate system	9
Connecticut	146
Prison Association	140, 146
Prison system of	44
Contract labor abolished in Colorado	39
Contract system:	
In California	26
In Maryland	58
In Maryland House of Correction	60, 83
Corporal punishment:	
Not adjudged in Michigan	73
Sometimes inflicted	79
In North Carolina	106
Cost of maintenance in California	31
Cost of Nebraska prison	98
County prisons of North Carolina	103
Crimes:	
Nature of—	
In California	35
In Connecticut	49
In Massachusetts	71
Punishable by death in North Carolina	103
Cumulative sentences	71
Criminal insane	76
D'Arcambal, Agnes L.	88
Daybook	149
Death penalty	72, 73, 102
Death rate:	
In California	31
In Connecticut	46
Debating society in Connecticut	46
Dedham, society for aiding discharged convicts	144
Demits, M.	37
Deterrent discipline	116
Devlin, Robert T.	37
Dietary:	
In California	30
In Michigan	87
In North Carolina	107
In Wyoming	134
Discharged convicts, societies for	115
Discharged prisoners in United States, care for	140
Discipline:	
In California	19
In Kansas	50
In Maryland	57
In Massachusetts	69
In Michigan	78
Drunkenness, penal aspects of	8
Earnings of colored girls	63
Eastern penitentiary of Pennsylvania	142
Educational tax	109
Eight-inch ventilators in cells	139
Employment of prisoners:	
In California prisons	239
In Connecticut	45
Expenses:	
Of Michigan prison	83
Of Nebraska prison	98
Of North Carolina prison	106
Farming for convicts	104
Father Cummisky	133
Fee system in Maryland	8
Female House of Refuge, Maryland	62
Folsom prison, appropriation for	30
Food of convicts	87

	Page.
Foreign-born criminals in North Carolina.....	108
Gates, Miss Mary.....	132
Golden, industrial school.....	41
Good-time law:	
In California.....	20
In Connecticut.....	44
In Michigan.....	81
In Nebraska.....	97
Griffith, G. S.....	58
Governor's rules.....	90
Guards, instruction of.....	134
Habitual-criminal act.....	40
Habitual offenders.....	77
Hamilton, Dr. A. B.....	136
Hanging by wrists.....	39
Harrington, Lucy I.....	147
Hope Hall.....	150
House of Correction, Maryland.....	60
House of Reformation for Colored Boys, Maryland.....	63
House of Refuge, Maryland.....	62
House of Good Shepherd for Colored Girls.....	63
House of the Good Shepherd.....	64
Howard Association.....	34
Illinois.....	145
Illinois Prisoners' Aid Association.....	145
Illiteracy in Maine prison.....	54
Increase of crime.....	116
Indeterminate sentence.....	77, 114
In Wyoming.....	137
In Ohio.....	141
Indeterminate-sentence parole in Illinois.....	145
Industrial Home for Colored Girls, Maryland.....	62
Industries in Maine prison.....	54
Insane convicts in Connecticut.....	46
"Insanity and solitary confinement".....	115
Instruction:	
In prison.....	58
In Michigan.....	80
International commission.....	117
International exposition.....	145
Ione school.....	36
Jails:	
Belonging to United States.....	11
In Connecticut.....	48
In Maryland.....	61
John Howard Industrial Home.....	144
Journal of Prison Discipline.....	142
Jute manufacture.....	22, 24, 28
Juvenile offenders:	
In Connecticut.....	48
In Maryland.....	61
In Massachusetts.....	72
In Michigan.....	75
Kansas, prison system of.....	50
Kirkwood, R. J.....	62
Law governing United States prisoners.....	11
League of the Good Samaritan.....	141
Lease system.....	9, 25
Leavenworth penitentiary.....	11
Lectures for prisoners.....	60
Leprosy.....	136
Libraries, prison:	
In Maryland.....	58
In Michigan.....	80
In Montana.....	94
In North Carolina.....	106
In Wyoming.....	133

	Page.
Liquor, cause of crime.....	99
Louisiana.....	147
Louisiana Prison Association.....	140, 147
Low, Clarence F.....	147
Lytle, J. J.....	142
McClaghry, R. W.....	145
Machinery abolished in Pennsylvania prisons.....	113
Maine, prison system of.....	53
Mansfield reformatory.....	145
Manufacturing for State use.....	26
Maryland.....	145
Prison system of.....	56
House of correction.....	60
Maryland Prisoners' Aid Association.....	140, 143, 145
Massachusetts.....	143
Prison system of.....	67
Reformatory.....	68
Society for aiding discharged convicts.....	140, 143, 144
Maryland Prisoners' Aid Association.....	57, 65
Mat and rug making.....	60
Matron in city jail, Maryland.....	65
Membership of prison leagues.....	149
Michigan.....	146
Prison system of.....	73
Minneapolis Prisoners' Aid Association.....	147
Minnesota.....	146
Misdemeanants.....	47
Model prison in Maryland.....	146
Money given to prisoners on discharge.....	107
Montana:	
Prison system of.....	93
Reform school of.....	94
"Monumental City, The".....	56
Moral and religious influence:	
In California.....	20, 32
In Connecticut.....	46
In Kansas.....	50
In Maryland.....	57
In Massachusetts.....	69
In Michigan.....	80
Moral reform of criminals.....	32, 71
Morel, Dr. Jule.....	115, 117
Mortality:	
In California.....	31
In Connecticut.....	46
In Wyoming prison.....	136
Musical department in reformatory.....	61
National Prison Association.....	140
National Prison Congress.....	148
Neatness in Wyoming prison.....	135
Nebraska, prison system of.....	96
Reform school of.....	99
New Hampshire, prison system of.....	139
New York.....	143
New York Prison Association.....	140, 141, 143
Night schools in Colorado.....	39
North Carolina, prison system of.....	101
Ohio.....	144
State reformatory.....	145
Oregon, prison system of.....	110
Overwork, amount made by.....	58
Paddle for punishment.....	39
Pardoning power.....	82
Pardon and parole.....	47
Pardons.....	40

	Page.
Parole law:	
In whose power to be lodged.....	51
In Michigan	89
Paroled prisoners in Ohio.....	145
Paroling of prisoners.....	82
Penal labor	83
Penal publications.....	138
Penitentiary systems	78
Pennsylvania	142
Prison society.....	140, 142
Prison system of	112
"Penological and Preventive Principles"	115
"Penology," compiled in California.....	37
Personnel of prison officers	30, 51, 87
Phthisis	46
Piece-price plan	27
Placing boys and girls in private families.....	76
Politics and prisons.....	17
Population of Connecticut jails	48
Preston School of Industry.....	36
Prison, a place of punishment.....	116
Prison congresses, influence of	37
Prison discipline, object of	38
Prison employees, how chosen	54
Prisoners' Aid Society:	
In Colorado.....	41
In Maryland.....	57
Prisoners out on probation.....	144, 145
Prisoners, number of, aided in New York.....	143
Prison Gate Mission	141, 143
Prison management, true policy of.....	28
Prison officials	30, 70
Prison population in Connecticut	44
Prison Reform Association	147
Prison systems	9
Of California.....	15
Of Colorado.....	38
Of Connecticut.....	43
Of Kansas	50
Of Maine	53
Of Maryland.....	56
Of Massachusetts.....	67
Of Michigan.....	73
Of Montana.....	93
Of Nebraska.....	96
Of New Hampshire.....	139
Of North Carolina.....	101
Of Oregon	110
Of Pennsylvania	112
Of Rhode Island	119
Of Utah	126
Of West Virginia.....	128
Of Wyoming.....	131
Prison work of Volunteers of America	149
Probation officers in Boston.....	144
Property, crimes against	49
Pulmonary trouble	136
Punishments in California	20
Quarrying as prison industry:	
In California.....	25
In Colorado.....	39
Recidivists:	
In California	33
In Colorado.....	40
In Connecticut	48
In Nebraska	99
In Pennsylvania	114

	Page.
Reformatory:	
In Colorado	41
In Maryland	61
Reform schools:	
In California	36
In Nebraska	99
Religious influences	46
Religious services in Maryland House of Correction	60
Rhode Island Prisoners' Aid Society	140, 148
Rhode Island:	
Prison regulations	124
Prison system of	119
Road working for convicts	102
Rock crushing as prison work	22
Round, W. M. F.	143
Rules for convicts, Michigan	79
St. Cloud reformatory	147
St. Mary's Industrial School	61
Sanitary condition of prisons:	
In California	30
In Connecticut	45
In Kansas	51
In Massachusetts	70
In Michigan	88
San Quentin prison, appropriation for	30
Sentences:	
In California	34
In Massachusetts	71
How administered	40
Length of	48
Separate system	9
Sherborn reformatory	144
Silent system	44
Slosson, Mrs. May Preston	132
Society for aiding discharged convicts, Dedham	144
Society for organizing charity, Philadelphia	143
Solitary confinement	39
Solomon, Henry	143
Sophia Little Home	148
Spalding, W. F.	144
Spoils system in prison management	17
State account	28, 84
State agent in Michigan	75
State board of charities and correction, work of	38
State penitentiary of North Carolina	104
State prison commission	148
State prison of Rhode Island, description of	121
State reform school, Montana	94
Statistics of North Carolina penitentiary	105, 108
Stewart, Martha	62
Suspended sentence	77
Syphilitic affections	46
Tallack, William	34, 115
Tax for education in North Carolina	109
Tents for leased convicts	102
Thomaston, Me., prison	53
Thompson, Nathan	63
Tobacco for prisoners	34
Trades, lack of knowledge of	54
Tuberculosis	45
United States laws governing labor of prisoners	13
United States jails	12
United States penitentiaries	11
United States prisoners:	
Law governing	12, 13
In North Carolina	107
Utah, prison system of	126

	Page.
Ventilation of prisons:	
In California.....	30
Importance of.....	135
Virginia.....	148
Volunteer Prison Leagues.....	149
Volunteers of America.....	141
Volunteer visitors:	
In California prisons.....	21
Not allowed in Wyoming.....	132
"Volunteers of America".....	37
West Virginia, prison system of.....	128
Whipping for wife-beating.....	106
Wages for prisoners.....	29
White, B. C.....	94
Whittemore, Mrs. H. F.....	62
Whittier State school.....	36
Wines, E. C.....	140
Wistar, I. J.....	9
Woman (A) as chaplain.....	132
Wood yards.....	145
Work:	
In California prisons.....	22
In Michigan prisons.....	83
Wyoming:	
Prison system of.....	131
Climate of.....	136
Xaverian Brothers.....	61



JUN 12 1939

